

## Local Program Report to the SCC

### Guilford County, February 5, 2026

On November 13, 2025, personnel from NCDEQ, DEMLR conducted a formal review of the Guilford County Erosion and Sedimentation Control Program. Only two sites were able to be inspected due to limited daylight during the initial review, and a follow-up review was conducted on December 18, 2025, to inspect the remaining site. The County was last reviewed and presented to the Sedimentation Control Commission (SCC) in November 2020. The County requires an erosion and sediment control plan for all projects disturbing 1.0 acre or more. The jurisdiction of the program includes all unincorporated areas of the county and within the towns of Pleasant Garden, Sedalia, Whitsett, Stokesdale, Summerfield, Jamestown and Oak Ridge. The County currently has 4 staff contributing 4 full time equivalents. The County can place holds at three stages in commercial development in conjunction with the building, planning and inspections departments. These holds can be used as additional tools to Notice of Violations (NOVs) and Civil Penalty Assessments (CPAs) to bring sites into compliance at these various stages. The County also has the ability to utilize stop work orders (SWO). At the time of DEMLR's review, the County reported 106 open projects.

#### Previous Year Program Activity:

November 2024 through October 2025:			
Plan Reviews or Re-reviews:	94	Building Permit/Inspection holds utilized:	0
Approvals:	47	NOVs issued:	11
Disapprovals:	54	SWO issued:	0
Inspections conducted:	1168	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. Courtyard 2 Apartments:

This project consists of 0.663 acres for residential development located in the Deep Subbasin of the Cape Fear River Basin. The project file contained the approved plan, letter of approval, design calculations, the Financial Responsibility/Ownership (FRO) form, letter of consent from the landowner and past inspections. The registered agent's information was missing from the FRO form. The County received the complete application package on 8/13/2025 and issued the letter of approval on 8/14/2025. The approved plan set did not include a legend, and the Limits of Disturbance were difficult to distinguish from other line types at the current scale when printed. From a design perspective, the approved plan appeared to be adequate. Construction on this project began in August 2025 and the County had conducted 2 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 was underway. Perimeter silt fence had been installed and appeared to be functioning, however one section which had been run over recently needed to be repaired. Inlet protection measures had been installed throughout. One inlet protection measure had recently been removed and would need to be reinstalled after the inlet

had been cleaned out. Tracking of sediment along the existing parking lot area was noted, however no sediment appeared to be tracked beyond the limits of disturbance. County staff stated that if construction traffic was to be moving across the curb onto the parking area, a construction entrance would need to be installed. Overall, the site was out of compliance with general maintenance and repair needs noted. No signs of offsite sedimentation were seen.

## **2. Commons at Summit Lakes Phase 1:**

This project consists of 5.95 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, letter of landowner consent and previous inspection reports. The registered agent information was missing from the FRO form. The original complete application had been received by the County on 5/3/2023 and the letter of approval issued on 5/15/2023. The approved plan appeared adequate. Construction on this project began in July 2023 and the County had conducted 50 inspections prior to the review. The County issued an NOV to this site in 2022 for beginning disturbance without an approved plan. Another NOV was issued to this project on 1/12/2024. The County conducted a follow up inspection on 2/19/2024 and found the site to be in compliance.

DEMLR's inspection of this site was conducted during the follow up visit on December 18, 2025. On the day of the inspection, the road had been completed, and the disturbed areas were being stabilized. Check dams and wattles had been installed in the roadside ditches. Perimeter silt fence and outlets were installed and appeared to be functioning. Active grading was occurring to install a ditch. This area was outside of the approved limits of disturbance. The County issued an NOV on 12/19/2025.

## **3. Brightwood Phase 5A Lots:**

This project consists of 7.45 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, a copy of the property deed, the FRO form, and previous inspection reports. The County received the complete application package on 7/30/2024 and issued the letter of approval on 8/30/2024. The file contained a revised FRO form that was signed after the date of the letter of approval. This appeared to be a revised FRO form, however, no new letter of approval was issued. When a revision or transfer is received, the County should issue an official review decision for each round of reviews. The approved plans appeared to be adequate. Construction on this project began in November 2024 and the County had conducted 13 inspections prior to the review.

On the day of the review, foundations were being poured on a few lots. The inactive lots appeared to be stabilized. Inlet protection had been installed throughout and appeared to be maintained. Weep holes had been cut at some curb inlets which would allow water to bypass the inlet protection measure. These weep holes needed to be filled, or additional measures installed to prevent any bypass. A few drop inlet protection measures along the backside of some lots needed to be maintained. The drainage area of these drop inlets appeared to be stable at the time, but this maintenance and repair would be needed prior to beginning construction on the adjacent lots. Construction entrances had been installed on the active lots. Silt fence had been installed surrounding the active lots; however, no silt fence outlets had been installed as shown

on the approved plans. Overall, this site was out of compliance needing to install silt fence outlets per the approved plans and minor maintenance items.

**Positive Findings:**

During the review DEMLR Staff noted positive aspects of the Guilford County Local Erosion and Sedimentation Control Program including:

- The County requires preconstruction meetings for all projects.
- The County has the ability to utilize stop work orders and a few points during commercial development as additional tools to bring sites into compliance.
- All County staff have recently obtained the NCDOT ESC Level II Certification.

**Issues Noted and Required Actions:**

During the review DEMLR Staff found that the Guilford County Erosion and Sedimentation Control Program had deficiencies including:

- The Registered Agent information was not always provided on the FRO form.
- In one instance, the project file contained a revised FRO form, but no subsequent approval letter.

The County 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.
- Whenever a new or revised plan is submitted, including a revised FRO form, a formal review decision should be sent within the respective 30- and 15-days review timeframes.

**Recommendations for Improvement:**

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

- It is recommended that the County 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 County 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 County's locally delegated erosion and sedimentation control program had a couple deficiencies. The County must ensure that registered agent information is provided on the FRO form. The County also needs to ensure that a formal review decision letter is provided for all revisions, including a new FRO form. The County has recently undergone staff turnover and numerous improvements to templates, processes and

procedures have been made. Staff stated that the FRO forms had been recently amended to collect the registered agent information. All review decision letters are sent with the ability to track receipt. The County is in the process of transitioning to an electronic permit application and review process and is implementing an electronic inspection tool. All County staff have obtained the NCDOT ESC Level II certification. County staff demonstrated a knowledge and understanding of design, standard practices and regulations regarding erosion and sediment control and an ability to conduct adequate inspections and noted areas seen by state staff. The County demonstrated its ability to effectively implement the local program's delegated authority. DEMLR staff recommends to "Continue Delegation" of the Guilford County erosion and sedimentation control program.

This report has been prepared based on the formal review of the Guilford County local program conducted on November 15 and December 18, 2025, and will be presented to the SCC during its 2026 Q1 meeting on February 5, 2026.