

## **Local Program Report to the SCC**

### **Pitt Couty Review, August 21, 2025**

On July 9, 2025, personnel from NCDEQ, DEMLR conducted a formal review of the Pitt County Erosion and Sedimentation Control Program. The County was last reviewed and presented to the Sedimentation Control Commission (SCC) in May of 2021. The County requires an erosion and sediment control plan for all projects disturbing 1.0 acres or greater. The jurisdiction of the program includes the unincorporated areas of the county and within the Towns of Simpson, Grimesland, Ayden and Falkland. The County currently has 3 staff who contribute an approximate 1 full time equivalent (FTE) to the program. The County has the ability to place holds on building permits or building inspections as an additional tool to bring a site into compliance. At the time of DEMLR's review, the County had 40 open projects.

#### **Previous Year Program Activity:**

July 2024 through June 2025:			
Plan Reviews or Re-reviews:	20	Building Permit/Inspection holds utilized:	0
Approvals:	19	NOVs issued:	7
Disapprovals:	2	SWO issued:	0
Inspections Conducted:	615	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. Mozingo Storage:**

This project consists of 9.43 acres disturbed for residential development and located in the Contentnea Subbasin of the Neuse 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 letter of approval stated that the plan had been conditionally approved and included conditions for the approval which were based on other County department's reviews. The County received the complete application on 12/14/2022 and issued the approval letter on 12/19/2022. The approved plan appeared to be adequate. Construction on this project began in May of 2023 and the County had conducted 45 inspections prior to the review. The County issued an NOV to this project on 9/12/2023 and subsequently found all corrective actions had been completed and the site brought back into compliance on 9/25/2023.

On the day of the review, the site was largely stabilized, and staff stated that the site had been idle since September of 2024. Some small rills were forming along the diversion ditches where vegetation had not established but no sediment loss was evident. There was no document box or rain gauge on site. The stockpile in the rear of the site had been stabilized and check dams were installed along the diversion ditches. The skimmer basin had not yet been installed. Staff stated that prior to grading begins the basin would be required to be installed.

#### **2. DC & C Shop:**

This project consists of 1.98 acres disturbed for commercial development and located in the Lower Tar Subbasin of the Tar-Pamlico 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 letter of approval stated that the plan had been conditionally approved and included conditions for the approval which were based on other County department's reviews. The County received the complete application on 6/14/2023 and issued the approval letter on 7/12/2023. The approved plan appeared to be adequate. Construction on this project began in August of 2023 and the County had conducted 50 inspections prior to the review. No NOV's or CPAs had been issued to the project prior to the review.

On the day of the review, final landscaping was being installed. Staff noted that the perimeter measures had recently been removed without approval. Small rills were forming where vegetation had not yet established. County staff stated that the perimeter measures would need to be reinstalled and remain in place until the areas throughout the site had been stabilized. Small stockpiles near the front of the site needed to be removed, stabilized or wrapped with silt fence. No signs of off-site sediment were noted.

### **3. Winfield Phase 2 and 3:**

This project consists of 6.5 acres disturbed for residential development and located in the Lower Tar Subbasin of the Tar-Pamlico 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 letter of approval followed the same template as noted above. The County received the complete application on 8/26/2024 and issued the approval letter on 9/25/2024. The approved plan appeared to be adequate. Construction on this project began in September of 2024 and the County had conducted 17 inspections prior to the review. No NOV's or CPAs had been issued to the project prior to the review.

On the day of the review lots on the project were nearing completion. Lot pads had been stabilized, and the sediment basins had been removed. Ditches and the areas disturbed by the removal of the basins still needed to be stabilized. Vegetation had established on the inactive sides of the stockpile and check dams remained in place throughout the site. No signs of off-site sediment were noted.

### **Positives Findings:**

During the review DEMLR Staff noted positive aspects about the Pitt County Erosion and Sedimentation Control Program including:

- The County is conducting regular bi-weekly inspections.
- Preconstruction meetings are required for all projects.
- The County has the ability to place holds on building permits or building inspections as additional tools to bring a site into compliance.

### **Deficiencies Noted and Corrective Actions Needed:**

During the review DEMLR staff found that the Pitt County Erosion and Sedimentation Control Program had a few deficiencies and will need to implement the following changes:

- The Letter of Approval conditions the approval upon non erosion and sediment control related items.

- The County uses a technical review committee (TRC) as part of the plan review process. The TRC meets regularly, however, it is possible in the current process that a review decision is not being sent out within 15 days of receiving the complete package for revised plans.
- The County currently does not have a process in place to review and approve plans that may be less than 1 acre but are within a common plan of development.

The County should implement the following changes to correct the items noted above:

- A plan can only be conditioned upon the applicant's compliance with Federal and State water quality laws, regulations and rules. G.S. 113A-61(b1). The County should revise their letter of approval template to only have this condition and include any other department's review comments regarding the overall construction plan submittal in a separate cover or as additional comments to be addressed unrelated to the erosion and sediment control plan approval.
- The County should review the current review process and ensure that in all cases, the 15-day review period for revised plans is able to be met. The County should issue their formal review decision in writing within 15 days of receiving the complete revised plan package. If a review decision is not issued, the plan is deemed approved.
- The County's threshold for requiring an approved plan is set at 1 acre or greater. However, the Construction Stormwater NCG01 permit requires that any disturbance that is within a common plan of development that has a total area of 1 acre or greater is required to obtain coverage. To obtain coverage, the permittee must receive an approved erosion control plan. The County should develop a process to conduct these reviews and work to further educate the development community on their requirement to obtain NCG01 coverage.

#### **Recommendations for Improvement:**

DEMLR staff have also noted a recommendation that would help to improve the program:

- Additional guidance and education to the developmental community regarding the Construction Stormwater NCG01 permit and its requirements would be beneficial. Staff appear to be periodically checking for the self-inspection records and noting potential violations such as improper concrete washout while on site. Staff should continue to monitor for these potential violations and refer them to the Washington Regional Office when necessary.

#### **Conclusion:**

During the review, DEMLR staff noted the Pitt County locally delegated erosion and sedimentation control program had a few deficiencies. Staff should ensure that the only condition of the erosion and sediment control plan approval is that which is stated in the general statute. The letter of approval will need to be adjusted moving forward and if other department's review comments are needed to be included, those should not be listed as conditions of the approval. This type of comment should be sent under separate cover or as additional comments unrelated to the disapproval of the erosion and sediment control plan. Staff should ensure that

the current review process and TRC schedule allows for reviews to be conducted, and the review decisions issued within the appropriate timeframes. Staff will also need to adjust their review process and guidance to the development community to include requiring plans for all land disturbing activity that are within a common plan of development. Overall, all the projects reviewed had been reviewed within the appropriate timeframe and the project file included all the necessary documentation. The plans appeared to be adequate, and staff noted all areas seen by State staff while conducting inspections. The County requires a preconstruction meeting on all projects and ensures that the NCG01 certificate of coverage has been obtained prior to allowing construction to begin. The County has also received approval for an additional staff and have started the hiring process. This additional position is anticipated to add approximately 0.5 FTE to the program. Overall, the County demonstrated their ability to effectively implement the Local Program's delegated authority. DEMLR staff recommend to "Continue Delegation "of the Pitt County Erosion and Sedimentation Control Program.

This report has been prepared based on the formal review of the Pitt County Sedimentation Control Program conducted on July 9, 2025, and will be presented to the Sedimentation Control Commission during its 2025 Q3 meeting on August 21, 2025.