

Local Program Report to the SCC

Town of Wake Forest Review, August 21, 2025

On July 30, 2025, personnel from NCDEQ, DEMLR conducted a formal review of the Town of Wake Forest Erosion and Sedimentation Control Program. The Town was last reviewed and presented to the Sedimentation Control Commission (SCC) in November of 2020. The Town requires an erosion and sediment control plan for all project disturbing 0.5 acres or greater. The Jurisdiction of the program includes the corporate limits and extraterritorial jurisdiction (ETJ) of the Town. All areas of the Town's jurisdiction are within the Upper Neuse Subbasin of the Neuse River Basin. The Town currently has 7 staff which contribute ~3.5-4 FTE. The Town has the ability to place holds on building permits and building inspections as additional tools to bring sites into compliance. At the time of DEMLR's review, the town had 66 open projects.

Previous Year Program Activity:

July 2024 through June 2025:			
Plan Reviews or Re-reviews:	43	Building Permit/Inspection holds utilized:	0
Approvals:	13	NOVs issued:	7
Disapprovals:	30	SWO issued:	1
Inspections Conducted:	951	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. Rosedale Phase 7B:

This project consists of 9.7 acres disturbed for residential development. 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 Town receive the complete application on 5/31/2024 and issued a disapproval on 6/21/2024. The Town is currently sending a general disapproval that includes comments from other departments' review of the overall construction plan set. Staff should ensure that the disapproval letter specifically states that the erosion and sediment control plan is being disapproved and includes the applicants right to appeal the disapproval along with the reasons for the disapproval. This plan underwent 3 review cycles before being approved on 9/6/2024. All review cycles were conducted within the appropriate timeframes and the approved plans appeared to be adequate. Construction on this project began in April of 2025 and the Town had conducted 5 inspections prior to the review. No NOVs or CPAs had been issued to this site prior to the review.

On the day of the review grading was underway and the stormwater drainage system had been installed. The sediment basin and adjacent retaining wall had been installed. On the most recent inspection report, staff had noted that the forebay berm and stone at the basin outlet and emergency spillway needed to be maintained or repaired. These actions appeared to have been recently completed. The skimmer device was partially submerged and needed to be repaired or

replaced. Staff stated that a reminder to stabilize the areas disturbed by recent repairs within the appropriate timeframe would be noted. Vegetation had established along the perimeter of the site. Silt fence along the completed sections of previous phases needed to be maintained. The construction entrance had been removed in preparation for paving and minor tracking was noted. Inlet protection measures were installed throughout and a few needed to be maintained. Overall, the site was in compliance with minor maintenance needs noted.

2. Christ Our Hope Church:

This project consists of 3.32 acres disturbed for commercial development. 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 on the FRO form and landowner consent were missing. The Town received the complete application on 1/24/2024 and issued a disapproval on 2/16/2024. The plan underwent 2 review cycles before being approved on 3/13/2024. Both review cycles were conducted within the appropriate timeframe. The approved plan appeared to be adequate. A revised plan application to transfer financial responsibility to a different party was approved on 4/19/2025. This review was completed within the appropriate 15-day timeframe as well. No NOV's or CPAs had been issued to this project prior to the review. The Town had conducted 6 inspections on this project since the FRP transfer had been approved in April.

On the day of the review vertical construction was underway. One stockpile had been stabilized and a second that was actively being worked had been wrapped in silt fence. Perimeter silt fence was installed and appeared to be maintained. The basin was in the process of being reworked and the permanent riser structure was being installed. A few of the inlet protection measures needed to be repaired. The construction entrance appeared to be well maintained. Overall, the site was in compliance with minor maintenance needs noted.

3. Morris Subdivision:

This project consists of 23.5 acres disturbed for residential development. 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 Town received the complete application on 2/26/2023 and issued a disapproval on 3/10/2023. The plan underwent 4 review cycles before being approved on 10/13/2023. The approved plan appeared to be adequate. Construction on this project began in March of 2024 and the Town had conducted 22 inspections prior to the review. The Town issued a NOV to this project on 10/2/2024 and found the site to be in compliance on 10/8/2024.

This project contained two sections. Only one section was inspected during the review. The other section appeared to be stabilized and idle. Lot construction was underway on the section inspected. The perimeter silt fence had been removed in order to start installation of the permanent privacy fence along the back side of the lots. Perimeter measures would need to be reinstalled or additional measures surrounding the remaining unfinished lots installed. Curb inlet protections needed to be installed and inlet protection measures at the end of the diversion ditch needed to be repaired. Sediment had deposited below the stormwater drainage system outlet needed to be removed to prevent sediment from moving offsite. The sediment basin appeared

to be functioning. Vegetation on the adjacent and internal basin slopes appeared to be dying off and should be monitored and overseeded with an appropriate season's seed mix if needed. No signs of offsite sediment were noted. Overall, the site was out of compliance needing to make the necessary corrective actions to prevent potential offsite sedimentation.

Positives Findings:

During the review DEMLR Staff noted positive aspects about the Town of Wake Forest Erosion and Sedimentation Control Program including:

- The Town requires an erosion and sediment control plan for all projects disturbing 0.5 acres or greater which is more stringent than the State requirement.
- Preconstruction meetings are required for all projects.
- The Town has the ability to place holds on building permits or building inspections as additional tools to bring a site into compliance.
- Town staff are doing full inspections at least once a month but are also conducting frequent drive through inspections to maintain a consistent presence on site. Staff also stated that they are responsible for conducting other building and planning related inspections as well as erosion control inspections and will make note of any erosion-related items that they may see anytime they are onsite.

Deficiencies Noted and Corrective Actions Needed:

During the review DEMLR staff found that the Town of Wake Forest Erosion and Sedimentation Control Program had some deficiencies and will need to implement the following changes:

- The registered agent information was not always provided on the FRO form.
- Landowner consent was not always obtained when the landowner differed from the financially responsible party (FRP).

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

- Staff should ensure that the registered agent information is provided anytime the FRP is a company or corporation. If a FRP is an out of state company, the registered agent must be located in NC.
- Whenever the landowner and financially responsible party differ, the erosion and sediment control plan must include written consent from the landowner for the FRP to submit the ESC plan application and conduct the land disturbing activity.

Conclusion:

During the review, DEMLR staff noted the Town's locally delegated erosion and sedimentation control program had a few deficiencies. The Town should ensure that both the registered agent information and landowner consent is obtained when applicable prior to approval of a plan. Registered agent information should be provided anytime the FRP is a company/firm. This information should be verified by checking the entities' Business Registration with the NC Secretary of State's Office. Staff complete plan reviews within the appropriate timeframes and approved plans appeared to be adequate. The Town has undergone significant staff turnover during recent years and have maintained consistent service and oversight in

implementation of the local program's responsibilities. Review staff have obtained the Level III NCDOT Erosion and Sediment Control Certification. The Town is continuing to develop standard operating procedures, checklists, internal guidance and template forms to aid in training new staff and providing consistency between inspectors. Staff noted all areas seen by State staff while on site during inspections. Overall, the Town demonstrated their ability to effectively implement the Local Program's delegated authority. DEMLR staff recommend to "Continue Delegation" of the Town of Wake Forest Erosion and Sedimentation Control Program.

This report has been prepared based on the formal review of the Town of Wake Forest Sedimentation Control Program conducted on July 30, 2025, and will be presented to the Sedimentation Control Commission during its 2025 Q3 meeting on August 21, 2025.