

Helpful Tips

All project submissions must undergo a DRB review by City and County agencies across the spectrum. This office is part of the process and reviews submissions for Erosion Control and for projects in unincorporated areas of Durham County, stormwater issues as well. To facilitate DRB review by this office and minimize the need for comments that may result in a re-review situation, please include the following in your INITIAL submission:

Minimizing
DRB Review
Issues

Include the following erosion control notes in the General Conditions for Approval note:

1. If the disturbed area exceeds 12,000 sq. ft., a land disturbing permit will be required prior to beginning any land disturbing activity.
2. If the disturbed area exceeds 20,000 sq. ft. a sedimentation and erosion control plan must be submitted and approved prior to the issuance of a land disturbing permit.
3. A Tree Protection inspection is required prior to issuance of an Erosion Control permit.
4. If an offsite spoil or borrow site is utilized, then the disturbed area for the spoil/borrow site must be included in the land disturbance plan and permit unless the spoil/borrow site already has its' own permit.
5. If the disturbed area exceeds five(5) acres a Surety will be required.

Poor maintenance of erosion control measures on active sites can present an ongoing problem. Maintenance shortcomings can lead to Notices of Violation and potential severe fines. The best way to avoid fines and violations is to pay close attention to the condition of your erosion control measures. Inspect them regularly, especially after heavy rain. Be certain that all basins and skimmers are functioning properly. Keep streets clean and drop inlets protected. Most of all, make sure that any failures are addressed and repaired as soon as possible. Finally, make sure that ground cover is in place as required and that areas where ground cover has failed are re-stored quickly.

Following these tips will likely minimize your risk of violations and/or fines.

Maintaining
Active Sites



Durham County
Engineering
Department
120 East Parrish St.
Durham, NC 27701
919-560-0735

Contacts

Sediment and Erosion
Control Division

Chris Roberts, PE
S & E
Division Manager

919-560-0739

Stormwater Reviews
and Permits

Chris Roberts, PE
S & E
Division Manager

919-560-0739

S & E Technicians

Tim Holland

919-560-0737

Bob Sokolowski

919-560-0734

Durham County Sedimentation and Erosion Control Newsletter

December 20, 2010



COMPLIANT SKIMMER SEDIMENT BASIN

Over the past year, several elements of the (S&E) program have changed or been clarified. This newsletter has been published to ensure the consultant and development communities are aware of these items. Future newsletters will be published as the S&E program evolves. If you have any questions about any of this information, please contact Chris Roberts by phone at (919)560-0739, or by e-mail at croberts@durhamcountync.gov. Information, including required forms and fee information is also available on the following website:

[http://www.durhamcountync.gov/departments/ceng/Stormwater and Erosi.html](http://www.durhamcountync.gov/departments/ceng/Stormwater%20and%20Erosi.html)

Overview

Our Charge

The Stormwater and Erosion Control Division of the Durham County Engineering Department administers and enforces Sections 3.8, 12.10 and 15.5 of the Durham City/County Unified Development Ordinance and the Durham County Stormwater Ordinance. The Erosion Control jurisdiction includes all privately funded, non-agricultural land-disturbing activities in excess of 12,000 sq. ft. in both the City of Durham and the unincorporated areas of Durham County. The Stormwater Ordinance applies only to the unincorporated areas of Durham County



COMPLIANT GROUND COVER

New Plan Submission Requirements and Fee Changes

New Plan Submission Requirements

As of December 2009, a sedimentation and erosion control plan is required for any land-disturbing activity within the County, including the City, if more than 20,000 square feet will be disturbed. The threshold in M/LR-A, M/KLR-B, F/J-A or E watershed protection overlay districts is 12,000 sq. ft. Please keep in mind that a land disturbing project cannot begin until thirty(30) days after the **submission** of an erosion

control plan as per Section 3.8.1(B) of the UDO.

Fee Increases

Effective July 1, 2010 the Durham Board of County Commissioners approved S&E fee increases for most land-disturbing and stormwater related activities. The complete fee schedule can be accessed at the following website:

http://www.durhamcountync.gov/departments/ceng/Fee_Schedule.html

“ Publicly funded projects are the responsibility of The Land Quality Division of- NC DENR ”

Project Ownership and Financial Responsibility

The FRO identifies the party having financial responsibility over the land disturbing activity. This party will be responsible if and when issues involving erosion control at a permitted site need to be addressed. While a property may have multiple owners, only one party should be identified on line 5 of the FRO form. Should more than one property be affected by the land disturbing activity, each of the adjacent owners must sign the Land Owner Consent section (Line 8) of the FRO form. Submit multiple forms if necessary. Should the project exceed five acres of disturbed area a Surety will be required. The holder of the Surety must also be the same person/entity as that listed as the financially responsible party on line 5

of the FRO form. Please include Corporate signatory authority for line 7.

Simplified Surety Amount

To minimize land-disturbing permit processing delays associated with obtaining performance surety values, the Erosion Control office has decided to continue the current method for calculating sureties. Sureties will be calculated based on a flat rate of \$4,000 per disturbed acre. The surety amount may be predetermined based solely upon the acreage of the project as specified on the Financial Responsibility/Ownership Form and the equation, Surety Amount(\$) = (\$4,000*Disturbed Acre)

Self Inspection Requirement

The Sedimentation Pollution Control Act was amended in 2006 to require that persons responsible for land-disturbing activities inspect a project after each phase to make sure that the approved S & E control plan is being followed. Rules detailing the documentation of these inspections took effect on October 1, 2010. Information regarding these requirements is typically distributed by our office with newly issued land disturbing permits. Further questions should be addressed to the Land Quality Section at your DENR Regional Office.

NC DENR

Please call the Land Quality Section for additional information:

919-791-4200

Erosion Control Devices and Stabilization of Disturbed Land

Erosion and sedimentation control measures, structures and devices shall be so

planned, designed and constructed as to provide protection from the calculated maximum peak of runoff from the 25-year storm. Run-off rates shall be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices," or other calculation procedures acceptable to the Sedimentation and Erosion Control Officer or designee.

Each sediment basin or trap in the Suburban or Rural Tier shall have a minimum volume of 3,600 cubic feet per acre of disturbed area and a minimum surface area of 435 square feet per cfs of Q₂₅ (25-year storm) peak inflow. Each sediment basin or trap in the Downtown, Compact Neighborhood, or Urban Tier shall have a minimum volume of 1,800 cubic feet per acre of disturbed area and a minimum surface area of 325 square feet per cfs of Q₂₅ peak inflow. **A skimmer shall be used in each sediment basin or trap.**

The slope for disturbed land shall be no greater than the slope which can be retained by vegetative slope cover or other adequate erosion control devices or structures. Land left exposed shall be planted or otherwise provided with temp-

orary ground cover, devices, or structures sufficient to restrain erosion within the applicable time period after completion of any phase of grading or period of inactivity as follows: seven (7) days for a steep slope; ten(10) days for a moderate slope; fourteen (14) days for land with no slope or inclination. For purposes of this section, a moderate slope means an inclined area, the inclination of which is less than or equal to three units of horizontal distance to one unit of vertical distance; and a steep slope means an inclined area, the inclination of which is greater than three units of horizontal distance to one unit of vertical distance. No other criteria apply.

For any area of land-disturbing activity where grading activities have been completed, temporary or permanent ground cover sufficient to restrain erosion shall be provided as soon as practicable, but in no case later than seven days after completion of grading.

Stormwater Reviews and Permit issuance are also the responsibility of the S & E Division. At present the contact person for questions regarding County Stormwater issues is:

Chris Roberts, PE

He can be reached at:

919-560-0739

Or by email at:

croberts@durhamcountync.gov