



North Carolina Department of Environment and Natural Resources  
Division of Land Resources

James D. Simons, PG, PE  
Director and State Geologist

Land Quality Section

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

October 1, 2008

**MEMORANDUM**

TO: City Managers  
County Managers

FROM: James D. Simons

SUBJECT: Funds Available for Local Erosion and Sedimentation Control Programs (FY 08-09)

The North Carolina Sedimentation Control Commission has approved a program making available funds for local governments that wish to adopt and develop a local erosion and sedimentation control program. Funds are also available to local governments that have an existing program and wish to improve it. These funds will be available in the form of contracts. Priority will be given to local governments developing new erosion and sedimentation control programs. **Funds will be available no earlier than July 1, 2009.**

Enclosed is a copy of the Contract Application Guidelines and an application form to be used in applying for these funds. **Please be aware that the deadline for submitting applications is by close of business on Friday, December 5, 2008, at 5:00 PM. If the application is incomplete, the application will not be processed.** Applications received after December 5, 2008 will not be considered. Completed applications should be mailed to:

North Carolina Sedimentation Control Commission  
Division of Land Resources/Land Quality Section  
Attention: Gray Hauser  
1612 Mail Service Center  
Raleigh, NC 27699-1612

Please contact Gray Hauser at [gray.hauser@ncmail.net](mailto:gray.hauser@ncmail.net) if you have questions about the funds, the application process or the proposed contract language.

cc: Mr. David Thompson, Executive Director, Association of County Commissioners  
Mr. Ellis Hankins, Executive Director, League of Municipalities  
Mr. T. Gray Hauser, Jr., PE, State Sediment Specialist

**NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION  
LOCAL PROGRAM ASSISTANCE CONTRACTS**

**CONTRACT EVALUATION GUIDELINES**

**It is the intent of the North Carolina Sedimentation Control Commission that the funds available for local program assistance be used to support the creation of new Local Erosion and Sediment Control Programs. Should the total of these requests be less than the amount available, consideration will be given to the expansion of existing programs then enhancement of existing programs.**

- A. Eligible applicants for North Carolina Sedimentation Control Commission (NCSCC) local program assistance funds:

Local government entities (i.e. county or municipal governments), with a locally adopted erosion and sedimentation control ordinance.

- B. Matching funds are required (minimum 60% local match to 40% NCSCC funds), **however the Commission will consider the commitment of additional matching resources in evaluating the worthiness of each contract request.** The matching criteria will be applied to a maximum of a 10-month budget period. Monies will be available no earlier than the next fiscal year or when the state budget is signed. Billing shall occur at least quarterly.

- C. NCSCC local program assistance funds may be used for the following purposes:

1. Start-up funds for new local erosion and sedimentation control programs. Staff salaries and benefits will be a consideration but other items may also be needed. A possible list of items to be considered in the start-up of a new program may include: desk, chair, communication equipment (cell phone and/or desk phone, 2-way radio), calculator, filing cabinet, book shelves, office supplies, computer, safety equipment (fire extinguisher, first aid kit, safety boots, hard hat, rubber boots, rain gear), vehicle (truck in most cases), and a water cooler. List of items should be specific.
2. Enhancement funds for the expansion of existing local programs (**only if funds are available**). The local program will need to justify the need for funding based on hiring of additional employee(s) to cover additional areas, due to the expansion or annexation, of areas not currently in the local programs jurisdiction. Items for consideration are: salaries (for new employees only), equipment (as noted above), and training.
3. Enhancement funds (non-salaried items) for existing local programs (**only if funds are available**). Items for consideration are: equipment (as noted above), training, legal/enforcement expenses, innovative ideas, or other appropriate

program needs. Justification for equipment upgrades will be required. Requests for vehicle upgrades will not be permitted. List of items should be specific.

D. NCSCC Local Program Assistance Contract Applications will be quantitatively evaluated on the basis of their potential to achieve the following objectives of the NCSCC:

I. Principal Objectives

Provide increased protection of the State's land and water resources from damage due to accelerated erosion and sedimentation from land-disturbing activities by:

a. Creating new local erosion and sedimentation control programs capable of performing increased levels of education, control and enforcement.

--OR--

b. Expansion of existing local erosion and sedimentation control programs where the jurisdiction of the local government has substantially grown during the previous contract period.

--OR--

c. Enhancing existing local erosion and sedimentation control programs to maintain or increase their present capability of education, control and enforcement.

II. Additional Considerations

a. Consistency with Basinwide Water Quality Plan

b. Applicants' qualifications

E. The NCSCC will also be guided by the following non-quantitative criteria in making final funding decisions:

1. Priority assessment of regional level need for program by LQS Regional Engineer.

2. Priority assessment of state level need for program by LQS Central office.

- F. Contract documents will be sent for execution to those programs selected by the NCSCC. Contracts must be signed and returned to the NC Department of Environment and Natural Resources for final execution. Payment will be made only after receipt of invoices indicating expenditure of funds subject to the contract. Line item purchases must be listed on the budget proposal. Each receipt must match each budgeted line item. Each purchased line item must have an accompanying amount easily discernible and highlighted on the invoice. All contracts are subject to certain Federal and/or State requirements. A copy of these requirements is attached to this information. **Contracts may not be awarded or contracts may be canceled if funds become unavailable.** Expenses shall be submitted at a minimum of each quarter. Contracts will expire April 15 of the fiscal year in which the contract is signed.

North Carolina Sedimentation Control Commission  
Department of Environment and Natural Resources  
Division of Land Resources  
Mailing Address: 1612 Mail Service Center  
Raleigh, N.C. 27699-1612  
Physical Address: 512 North Salisbury Street  
Raleigh, N.C. 27604

**LOCAL PROGRAM ASSISTANCE CONTRACTS**

**APPLICATION FORM**

**Application Deadline: December 5, 2008**

Applications should be complete and mailed to the above address. Proposals received by the close of business on December 5, 2008, will be considered during this funding cycle. Proposals received after December 5, 2008 will not be considered. Facsimile applications will not be accepted. Application materials should not be bound and all materials should be suitable for photocopy in black and white.

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Program:

Name: \_\_\_\_\_ EIN: \_\_\_\_\_

Funds requested: \_\_\_\_\_

Intended use of funds requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total program budget: \_\_\_\_\_

Budget period: \_\_\_\_\_

Location:

County: \_\_\_\_\_

Municipality: \_\_\_\_\_

Applicant:

Organization name: \_\_\_\_\_

Contact person: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

***Note: This contract application must not exceed eight (8) pages (8 ½ x 11); single spaced excluding maps and organizational charts.***

***Seven (7) copies of this application must be submitted.***

**COMPLETE APPLICATIONS MUST INCLUDE THE FOLLOWING ITEMS:**

1. Application Form, fully completed.
2. Narrative Proposal Synopsis, describing the nature of the grant request. The first paragraph of the narrative should state clearly the amount being requested and the purpose of the request. The narrative should also include:
  - A concise description of the program and whether the funds will be used for start-up, enhancement of an existing program and/or enhancement due to expansion.
  - Program objectives and how they will be achieved
  - Total annual funds required for program operation
  - Other funding sources for the program (grants, taxing authority, bonds, fees, etc.)
  - Need for the program.
    - a. The number of building permits issued in the previous 12 months.
    - b. Estimate the number of building permits that would require an Erosion and Sediment Control permit.
    - c. Estimate the number of plans to be reviewed.
    - d. Estimate the number of man-hours for plan reviews.
    - e. Estimate the number of man-hours for site inspections.

Use of Existing Resources:

- i. Estimate the number of existing employees needed to implement the erosion and sediment control program.
- ii. Estimate the number of man-hours per week each existing employee will devote to erosion and sediment control.

Use of New Resources:

- i. Estimate the number of new employees needed to implement the erosion and sediment control program.
- ii. Estimate the number of man-hours per week each new employee will devote to erosion and sediment control.

- f. From the information given above, explain how there will be adequate new and/or existing staff and resources to meet the amount of work required to sufficiently implement an erosion and sediment control program.

- Measurable outcomes and a method of evaluation of outcomes
3. Scope of Work. The following information is needed in the contract proposal. **Failure to provide the requested information will result in proposal not being given consideration. Items a through j should be listed separately.**
    - a. Introduction. Include a brief description of services required.

- b. Background. Describe how the services fit into the agency's function, legislation or new initiatives that necessitate these services, other solutions tried in the past, etc. (i.e. The local government has passed an erosion and sediment control ordinance that is more restrictive than the law. OR the existing local government wants to increase their enforcement efforts.)

**For items c through j, include a description of the services required using narrative or outline as appropriate.**

- c. Task(s) provided by local government. Description of how the funds will be used. (i.e. start a local erosion and sedimentation control program, expand an existing program, purchase digital cameras, attend training on erosion and sediment, or conduct a workshop for contractors in the area, etc.)
- d. Timeline for task(s) completion. Please include start date and termination date or number of months. . All tasks must occur during the contract time period. (From the issuance of the contract until April 15, 2010.) Any activities that occur outside the time period will not be reimbursed.
- e. Deliverable(s) to be provided by the local government. Explain how the funds will allow you to operate. (i.e. review and approve erosion and sediment control plans by deadlines, conduct and document site inspections on a routine basis, investigate complaints, issue Notices of Violation, take enforcement actions, travel expense to workshop, organize erosion control workshop, utilization of equipment purchased, etc. One of the deliverables to be included is a final report detailing how the money provided to the local government was used.
- f. Milestone(s) to be met by local government. Provide a timeline indicating the date a milestone will be met. (i.e. implement an erosion and sediment control program by October 2009, fully train staff within two months of hire, generate monthly reports on general statistics such as new plans, number of inspections, number of enforcements, provide annual report on use and purchase of equipment, attend workshop or hold workshop by the end of the fiscal year, etc.)
- g. Environmental or regulatory constraints, state interfaces, etc. Please provide additional regulatory or permit requirements that may affect the operation of the local program.
- h. Contract time period. No earlier than July 1, 2009, or when the State Budget has passed, to April 15, 2010.
- i. Payment schedule. Include basis for payments to be made – Work Timeline, Deliverables, and/or Milestones. (i.e. submit invoices by October 15, 2009, January 15, 2010, and April 15, 2010.)

- j. Ownership of Equipment purchased under this Contract. There are limitations on funds used to purchase equipment. If the local erosion and sedimentation control program is terminated all equipment will be returned to the state.
4. Line Item Budget for the program (for the maximum 12 month period of the contract), including both anticipated incomes and expenditures. Submit an updated expense report each time an invoice is submitted. Purchases will be judged by measurable deliverables. See Attachment A. Any workshops or training attended or held outside of the contract time period will not be reimbursed.
5. Map, delineating the area of program authority.
6. Governing Board for the program.
7. Scoring Questions
  - (A) Describe the present status of the waters that will be protected by this program (per the NCDENR-DWQ Basinwide Water Quality Plan).
  - (B) Describe the existing status and nature of the program's legal basis (e.g. local ordinance).
  - (C) Provide a timeline for enactment or amendment of a local ordinance to meet the Sedimentation Pollution Control Act minimum standards.
  - (D) Describe any existing or proposed interconnection with other local ordinances, codes, permitting procedures and educational programs which will strengthen program administration and enforcement (subdivision, zoning, building, etc.).
  - (E) Provide an organizational chart for the program staff, related land use regulatory programs and governing body.
  - (F) Describe the existing and/or proposed staff positions that will be responsible for program administration and operation.
  - (G) Provide minimum qualification criteria and job descriptions for each program position.
  - (H) List any additional duties and programs for which each program position will be responsible and estimate the percentage of monthly time commitment each will require.
  - (I) What will be the source of permanent funding for the program? Describe in detail the commitment of General Fund revenues, the calculation of fee recoupment, or other method(s) of proposed funding following the

expiration of the maximum 12-month NCSCC contract period.

- (J) Provide a 3-year projection of land-disturbing projects, which will be administered by the program. Include the estimated number of projects, amount of acres disturbed (range and average), and the source or method by which the estimates were derived.

**NOTE: Questions related to the application process should be directed to Gray Hauser at [gray.hauser@mcmail.net](mailto:gray.hauser@mcmail.net) or (919) 733-4574.**