

E & S PROGRAM REVIEW



RECEIVED MAR - 8 2012

Douglas W. Domenech
Secretary of Natural Resources

David A. Johnson
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Reply To:
Suffolk Regional Office
1548-A Holland Road, Ste 200
Suffolk, VA 23434
Tel (757) 925-2468
Fax (757) 925-2388

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-1712

March 7, 2012

Michael W. Johnson, County Administrator
Southampton County
P.O. Box 400
Courtland, VA 23837

RE: Southampton County Erosion and Sediment Control Program Review

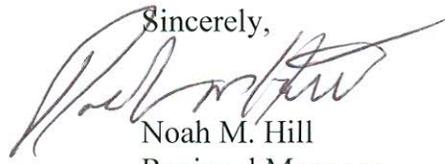
Dear Mr. Johnson:

Section 10.1-561(E) of the Virginia Erosion and Sediment Control Law requires the Virginia Soil and Water Conservation Board to periodically conduct a comprehensive review and evaluation of all erosion and sediment control (ESC) programs. On January 10, 2012, staff from the Department of Conservation and Recreation's Suffolk Regional Office conducted a program assessment of Southampton County's ESC program to be reported to the Board in the course of its review of that program. The basic information collected during the assessment was recorded on the Local Program Review, Plan Review, Site Visit and Inspection/Documentation Checklists. Supplemented by information gathered during interviews with Southampton County's ESC program staff, this basic information was used to fill out the Program Rating Worksheet and a numerical score was assigned to each of the four program components: Administration, Plan Review, Inspection and Enforcement. To be found consistent with the requirements of the Virginia Erosion and Sediment Control Law and Regulations, a program must score no lower than 70 out of a possible 100 points in each of the four program components. The results of the staff assessment, which are enclosed, indicate that the Southampton County's program appears to be consistent with the Virginia Erosion and Sediment Control Law and Regulations, and staff will make a recommendation to the Board that Southampton's ESC program be found to have consistent status.

At its March 29th, 2012 meeting the Virginia Soil and Water Conservation Board will continue its review of local ESC programs and will be considering Southampton County's

program and its consistency with the Erosion and Sediment Control Law and Regulations. You are encouraged to have a representative of Southampton County attend. The meeting will be held at the West Reading Room of the Patrick Henry Building, 1111 East Broad Street, Richmond, VA 23219 and will convene at 9:30 AM. The Board's consideration and determination will be based on the enclosed materials, the staff recommendation of a finding of consistency, and any written or oral testimony.

If you have questions regarding the content of the program review, please contact me at 757-925-2392 or at noah.hill@dcr.virginia.gov. If you have questions regarding the Soil and Water Conservation Board meeting, please contact Kenneth Harper, Local Program Compliance Coordinator at 804 786-3957 or at kenneth.harper@dcr.virginia.gov. We look forward to continuing to work with Southampton County to protect the properties and the natural resources of the Commonwealth.

Sincerely,

Noah M. Hill
Regional Manager

cc: Jon Mendenhall, Southampton County, Assistant County Administer
Lee Copeland, Southampton County, Program Administrator
Tim Ott, DCR Stormwater Compliance Specialist
Kenneth Harper, DCR Local Program Compliance Coordinator

Enclosure:
Southampton County Local Program Review materials



Introduction: This worksheet provides a numerical rating for the local program based on the minimum standards of effectiveness and other requirements as contained in the Local ESC Program Review Checklist. A total of 100 points is available for each program component. A local program must receive a minimum of 70 points in each component in order to be considered "effective" in accordance with the Virginia Erosion and Sediment Control Law (VESCL) and the Virginia Erosion and Sediment Control Regulations (VESCR).

The final page of the worksheet contains a summary of program enhancement options provided by the locality. Program enhancements are actions, procedures or policies implemented by the locality which are not required by the VESCH or VESCR but are recognized as contributing to increased effectiveness of the local erosion and sediment control program. Since they are not required, no points are provided for the inclusion of programs enhancements.

PART I: ADMINISTRATION - Pick only one per heading.

Available Points	Earned Points	Criteria
Certified Personnel - pick only one per heading		
1. Local program is administered by a certified Program Administrator, all plans are reviewed by a certified Plan Reviewer and all inspections are performed by a certified Inspector		
35	35	Yes
0		No
35	35	Subtotal – Certified Personnel
Program Administration– pick only one per heading		
1. Locality does not allow land-disturbing activity without an approved plan or an agreement in lieu of a plan and does not issue building, grading or other permits without submittal of an approved plan and certification that the plan will be followed		
10	10	Yes
0		No
2. Locality requires provision of the name of an individual holding a certificate of competence as a prerequisite to engaging in all land-disturbing activities, except when properly waived for a single family residence		
5	5	Yes
0		No
3. Locality reports land-disturbing activities to DCR in the method established at least 9 months each year		
5	5	Yes
0		No
4. Locality maintains a copy of the approved plan and a record of inspections for each active land-disturbing activity		
5	5	Yes
0		No
5. Locality maintains a record of enforcement actions for all active land-disturbing activities		
5	5	Yes
0		No
30	30	Subtotal – Program Administration



PART I: ADMINISTRATION (continued)

Local ESC Ordinance – pick only one score		
Available Points	Earned Points	Criteria
35		All required law or regulation sections listed below are present and correct
30		One or more of the required law or regulation items listed below is missing or incorrect.
		Exception for agricultural ponds not required to comply with the Dam Safety Act
		Exception for harvesting forest crops
		Exception for shoreline erosion control projects in tidal waters (Not required for programs outside of tidal areas)
		Exemption to channel flow requirements for projects incorporating natural channel design concepts
		Satisfaction of channel flow requirements for projects incorporating SWM per §10.1-561A
		Provision of the name of an individual with a certificate of competence prior to commencing Land Disturbing Activity
		Written plan review response within 45 days
		Owner is responsible for the plan
		Certification that an approved plan will be followed
15	15	Only the core items of the law or regulations listed below are present and correct.
		Definition of a land disturbing activity, including exceptions and exemptions
		Identification of plan approving authority, program authority and inspection responsibility
		Reference VESCR and specific design standards
		No land-disturbing activity allowed without an approved plan or agreement in lieu of a plan
		Provision for periodic inspections
		Procedures for issuing a notice to comply
		Procedures for issuing a stop work order and revoking the permit
		Appeal procedures
		Class I Misdemeanor or civil penalties
0		One or more of the core items listed above is missing and/or not correct.
35	15	Subtotal - Local ESC Ordinance
100	80	TOTAL – PROGRAM ADMINISTRATION



PART II: PLAN REVIEW - Pick only one per heading.

Available Points	Earned Points	Criteria
1. For all plans, written notice of disapproval of the plan, stating the reasons for disapproval is communicated within 45 days of receipt		
10	10	Yes
0		No
2. All disapproval notices specify the modifications, terms, and conditions that will permit approval of the plan		
15	15	Yes
0		No
3. Approved plans comply with state Minimum Standards or an appropriate variance is granted		
40		All reviewed plans meet the applicable Minimum Standards
20	20	At least 70% of reviewed plans meet the applicable Minimum Standards
0		Less than 70% of reviewed plans meet the applicable Minimum Standards
4. A statement describing the maintenance responsibilities of the permittee for ESC structures and systems is included in all approved plans		
5	5	Yes
0		No
5. On all plans, land-disturbing activity occurring at a separate location is shown on the approved plan or has a separate approved plan		
5	5	Yes
0		No
6. Content of approved plans meets the design standards of Chapter 3 of the VESCH or locally adopted design standards		
20	20	All reviewed plans meet the design standards
10		At least 70% of reviewed plans meet the design standards
0		Less than 70% of reviewed plans meet the design standards
7. All approved variances are documented in the plan or approved in writing		
5	5	Yes or variance not required or variances are not allowed by the program
0		Approved variances are not documented in the plan or not approved in writing
100	80	TOTAL – PLAN REVIEW



PART IV: ENFORCEMENT - Pick only one per heading

Available Points	Earned Points	Criteria
1. When violations of the approved plan or applicable Minimum Standards are observed, inspection reports document all violations and enforcement action (specific corrective actions with completion deadlines) is initiated		
40	40	Violations documented and enforcement action is initiated at all times
20		Violations documented and enforcement action is initiated at least 70% of the time
0		Violations documented and enforcement action is initiated less than 70% of the time
2. When violations noted on inspection reports remain during subsequent inspection, a notice to comply (or equivalent higher level enforcement action) is issued		
20	20	Notice to comply or equivalent higher level action is issued at all times or corrective action process adequately resolved all issues of non-compliance
10		Notice to comply or equivalent higher level action is issued at least 70% of the time
0		Notice to comply or equivalent a higher level action is issued less than 70% of the time
3. All notices to comply (or equivalent enforcement actions) contain specific measures or corrections that need to be made and specify deadlines for completion		
20	20	Yes or higher level enforcement not needed
0		No
4. Advanced enforcement such as stop work orders (or equivalent actions) are issued when inspection subsequent to a notice to comply (or other equivalent action) reveals continuing violation(s) or when land-disturbing activities commence without an approved plan or when violations are causing or are in imminent danger of causing harmful erosion		
20	20	Advanced enforcement is taken at all times or advanced enforcement not needed
10		Advanced enforcement is taken at least 70% of the time
0		Advanced enforcement is taken less than 70% of the time
100	100	TOTAL - ENFORCEMENT



PART III: INSPECTION: - Pick only one per heading.

Available Points	Earned Points	Criteria
1 ESC measures are maintained and repaired or violations are noted in inspection reports		
10	10	On all sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
5		On at least 70% of sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
0		At less than 70% of sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
2. For all reviewed projects, inspection is provided during or immediately following initial installation of erosion and sediment controls		
5	5	Yes
0		No
3. Periodic inspections are provided at the required frequency including Alternative Inspection Programs		
20	20	All visited sites meet the required inspection frequency
10		At least 70% of visited sites meet the required inspection frequency
0		Less than 70% of visited sites meet the required inspection frequency
4. At completed sites, inspections are provided at the completion of a project and prior to release of any performance bond		
5	5	At least 70% of the visited sites were inspected at project completion or no completed sites were visited
0		Less than 70% of the visited sites were inspected at project completion
5. The proper party is given notice of the inspection and inspections are documented by inspection reports or recorded in an inspection log if no violations are observed		
10	10	At least 70% of visited sites had inspection notice and documentation
0		Less than 70% of visited sites had inspection notice and documentation
6. All violations are noted in an inspection report and corrective actions with completion deadlines are specified		
15	15	All violations and corrective actions are noted in reports for 70% of visited sites
0		All violations and corrective actions are noted in reports for less than 70% of visited sites
7. The proper party is given notice of violations		
5	5	Notification of violations is provided for at least 70% of visited sites
0		Notification of violations is provided for less than 70% of visited sites
8. Sites visited during the program review process comply with the approved plan and applicable Minimum Standards or local action is taken		
30	30	All visited sites meet the plan and MS requirements or action is taken
15		At least 70% of visited sites meet the plan and MS requirements or action is taken
0		Less than 70% of visited sites meet the plan and MS requirements and action is not taken
100	100	TOTAL - INSPECTION



Department of Conservation & Recreation
 CONSERVING VIRGINIA'S NATURAL AND RECREATIONAL RESOURCES

LOCAL ESC PROGRAM RATING WORKSHEET

Local program: Southampton County

Review Date:

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LOCAL PROGRAM OVERALL RATING

Available Points	Earned Points	Program Area
100	80	PROGRAM ADMINISTRATION
100	80	PLAN REVIEW
100	100	INSPECTION
100	100	ENFORCEMENT
OVERALL EFFECTIVENESS:		
√	Local program meets standards of effectiveness based on a score of at least 70 points in each program component	
	Local program does not meet standards of effectiveness based on a score of less than 70 points in one or more program component	

DCR LOCAL PROGRAM REVIEW APPROVAL

Regional Office

Preparer:	Title: <i>Stormwater Compliance Specialist</i>
Signature: <i>Timothy J Ott</i>	Date: <i>3/5/2012</i>
Regional Manager:	Office: <i>SUFFOLK</i>
Signature: <i>Paula Hart</i>	Date: <i>3/7/2012</i>

Central Office

Training and Certification Programs Manager:	
Signature: <i>John R. McCutcheon</i>	Date: <i>Feb. 29, 2012</i>



Department of Conservation & Recreation
 CONSERVING VIRGINIA'S NATURAL AND RECREATIONAL RESOURCES

LOCAL ESC PROGRAM RATING WORKSHEET

Local program: Southampton County

Review Date:

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LOCAL PROGRAM ENHANCEMENT OPTIONS

Administration

Plan Review

Inspection

Enforcement



Department of Conservation & Recreation
 CONSERVING VIRGINIA'S NATURAL AND RECREATIONAL RESOURCES

LOCAL ESC PROGRAM REVIEW CHECKLIST

Local Program: Southampton County

Review Date: 1/10/12

Page 1 of 8

Introduction: The review of local program effectiveness is a responsibility of the Soil and Water Conservation Board as defined in the Virginia Erosion and Sediment Control Law (VESCL), §10.1-561E, which states that the *“Board shall periodically conduct a comprehensive review and evaluation to ensure that all erosion and sediment control programs operating under the jurisdiction of this article meet minimum standards of effectiveness in controlling soil erosion, sediment deposition and nonagricultural runoff.”*

The minimum standards for the effective control of soil erosion, sediment deposition and nonagricultural runoff are contained in the Virginia Erosion and Sediment Control Regulations (VESCR) 4VAC50-30-40.1-19. The criteria to determine whether a local program satisfies the minimum standards of effectiveness are contained in the VESCR, 4VAC50-30-90A and B. This checklist addresses the criteria for each of the four program areas: Administration, Plan Review, Inspection and Enforcement.

Items in **bold** are required components of a local program under the VESCL or the VESCR. Items marked with an asterisk, while not required, must be implemented in accordance with the VESCL and VESCR when utilized. Optional items provided by local programs but not required by the VESCL or VESCR are listed at the end of the checklist for each of the four component areas. These local program enhancements are recognized as increasing the effectiveness of local erosion and sediment control programs.

PART I: ADMINISTRATION

Certification			
VA Code	Yes	No	Criteria
§10.1-561.1 4VAC50-50-40	√		Local program is administered by a certified Program Administrator
§10.1-561.1 4VAC50-50-40	√		All plans are reviewed by a certified Plan Reviewer
§10.1-561.1 4VAC50-50-40	√		All inspections are performed by a certified Inspector
Comment			
Program Administration			
§10.1-563A, B §10.1-565	√		Locality does not allow land-disturbing activity without an approved plan or an agreement in lieu of a plan and does not issue building, grading or other permits without submittal of an approved plan and certification that the plan will be followed
§10.1-563B	√		Locality requires the person responsible for carrying out the plan to provide of the name of an individual holding a certificate of competence as a prerequisite to engaging in all land-disturbing activities, except when properly waived for a single family residence
§10.1-566.1	√		Locality reports land-disturbing activities to DCR in the method and on the time schedule established by the Department.
4VAC50-30-90A.3	√		Locality maintains a copy of the approved plan and a record of inspections for each active land-disturbing activity
4VAC50-30-90A.4	√		Locality maintains a record of enforcement actions for all active land-disturbing activities
Comment:			



Local ESC Ordinance				
VA Code	Yes	No	Local Code if Needed	Criteria
4VAC50-30-90A	√			Authority section referencing state code*
Comment:				
§10.1-560	√			Definitions:
	√			Agreement in Lieu of a plan for single family residences*
	√			Applicant*
	√			Certified Inspector*
	√			Certified Plan Reviewer*
	√			Certified Program Administrator*
		√		Conservation Plan, ESC Plan or Plan*
		√		District or Soil & Water Conservation District (SWCD)*
	√			Erosion Impact Area*
	√			Land-disturbing Activity
				Exclusions:
	√			Minor land-disturbing activities (landscaping, home gardening, etc.)
	√			Individual service connections
	√			Underground utilities on hard surface roads
	√			Septic systems
	√			Mining
	√			Exploration for gas and oil
	√			Agricultural, silvicultural, horticultural, & agricultural engineering:
	√			Exception for ponds required to comply with the Dam Safety Act
	√			Forestry exception (requirement to reforest or convert to bona fide agriculture or improved pasture use)
	√			Railroad repair, rebuilding, other facilities
	√			Less than 10,000 square feet (may be reduced)
	√			Fence, post, poles, signs
	N/A			Shore erosion control projects (Not required for localities outside of tidal waters)
	N/A			Exception for lands outside the authority of local wetlands boards, the Marine Resources Commission or the US Army Corps of Engineers
	√			Emergency Work
	√			Owner*
	√			Natural Channel Design Concepts*
	√			Permittee*
	√			Person*
	√			Plan-Approving Authority*
	√			Program Authority*
Comment:				



VA Code	Yes	No	Local Code if Needed	Criteria
4VAC-50-30-90A				Local Program
	√			Designate Program Authority
	√			Designate Plan Approving Authority
	√			Designate Inspection Responsibility
	√			Adopt VESCR or more stringent standards as an integral part of the program
	√			Designate design standards to be used in plan review and inspection (VESCH, VSWMH, local manual, etc.)
Comment:				
§10.1-563				Regulated Land-disturbing Activities: Submission and Approval of Plans
§10.1-561A		√		Exemption from flow rate capacity and velocity requirements for stream restoration and relocation projects that incorporate natural channel design concepts
§10.1-561A		√		Exemption from flow rate capacity and velocity requirements for channels in land-disturbing activities that provide for stormwater management with practices designed in accordance with §10.1-561A
§10.1-563A	√			No land-disturbing activity allowed without an approved plan or agreement in lieu of a plan
§10.1-563B	√			Requirement for the person responsible for carrying out the plan to provide of the name of an individual holding a certificate of competence as a prerequisite to engaging in land-disturbing activity
§10.1-563B	√			Written notice of approval or disapproval within 45 days.
§10.1-563C				Specification of changes that will permit approval of the plan.
	√			Approved plan can be changed if:
	√			Inspection reveals inadequacy (agreement not required)
	√			Due to changed circumstances or for other reasons the approved plan cannot be carried and amendments to the plan are agreed to by the plan-approving authority and the person responsible for carrying out the plan.
4VAC50-30-50		√		Variances must be requested and approved in writing*
§10.1-563G	√			Owner is responsible for preparation, submission and approval of plan
Comment:				
§10.1-565				Approved plan required for issuance of permit, securities
§10.1-565	√			No permits issued which authorize land-disturbing activity without approved erosion and sediment control plan
§10.1-565	√			Certification that the approved plan will be followed prior to permit issuance
§10.1-563B	√			RLD to be designated prior to land disturbing activity
	√			Will require RLD for an Agreement in Lieu of Plan
	√			Will waive RLD requirement for an Agreement in Lieu of Plan
§10.1-565	√			Provision to require security or performance guarantee*
	√			Refund of security within 60 days of adequate stabilization*

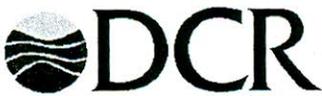


VA Code	Yes	No	Local Code if Needed	Criteria
<p>Comment: Locality needs to revise the ordinance to include the following changes:</p> <p>Define: "Natural channel design concepts" means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.</p> <p>10.1-561A - Stream restoration and relocation projects that incorporate natural channel design concepts are not man-made channels and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels as defined in any regulations promulgated pursuant to this section. Any land-disturbing activity that provides for stormwater management intended to address any flow rate capacity and velocity requirements for natural or manmade channels shall satisfy the flow rate capacity and velocity requirements for natural or manmade channels if the practices are designed to (i) detain the water quality volume and to release it over 48 hours; (ii) detain and release over a 24-hour period the expected rainfall resulting from the one year, 24-hour storm; and (iii) reduce the allowable peak flow rate resulting from the 1.5, 2, and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and shall be exempt from any flow rate capacity and velocity requirements for natural or manmade channels as defined in any regulations promulgated pursuant to § 10.1-562 or 10.1-570.</p>				



VA Code	Yes	No	Local Code if Needed	Criteria
§10.1-566				Monitoring, Inspections
4VAC50-30-60B	√			Locality must provide for specified inspection frequency per 4VAC50-30-60B
§10.1-566A	√			Notice of inspection given to responsible party
§10.1-566A	√			Provisions for issuing notice to comply (or equivalent action)
§10.1-566A	√			Provisions for issuing stop work order (or equivalent action)
§10.1-569				
§10.1-566A	√			Provisions for revoking permit
Comment:				
§10.1-568				Appeals
	√			Right to Appeal Local Program Decisions within 30 days
			N/A	Right to Appeal SWCD Decisions within 30 days*
Comment:				
§10.1-569				Penalties and Other Legal Actions
§10.1-569	√			Class I Misdemeanor and / or the schedule of civil penalties
§10.1-562J	√			Civil fines/Civil Charges/Administrative Fines*
Comment:				

Local Program Enhancement Options (For recognition only. No points provided)		
Code		Enhancement Option
VESCH	√	Locality issues a land-disturbing permit
§10.1-562I	√	Locality charges plan review/ land disturbance permit fees
§10.1-562I	√	Fees charged by the locality are sufficient to defray the cost of program administration
VESCH	√	Locality requires a pre-construction conference for all land disturbing activities
VESCH	√	Locality conducts information programs for the general public or for the development community to explain the ESC program requirements and promote compliance
	√	Locality has developed an ESC plan/permit application package that includes a standard application form and user-friendly instructions for conducting land-disturbing activities
	√	Locality uses a database or attaches a standard tracking/summary sheet to the project folder to list dates of:
	√	ESC plan submittal and approval
	√	Project start and finish
	√	Any other information the County finds pertinent such as performance guarantee amount and approval date
	√	Locality organizes ESC documents by project rather than date
Comment:		



PART II: PLAN REVIEW: See attached **Plan Review Checklists**

Code	Yes	No	Criteria
§10.1-563B	√		For all plans, written notice of approval or disapproval of the plan is communicated within 45 days of receipt
§10.1-563B	√		All disapproval notices state the specific reasons for disapproval and specify the modifications, terms, and conditions that will permit approval of the plan
§10.1-563B 4VAC50-30-50			Approved plans comply with state Minimum Standards or an appropriate variance is granted
			All reviewed plans meet the applicable Minimum Standards
	√		At least 70% of reviewed plans meet the applicable Minimum Standards
			Less than 70% of reviewed plans meet the applicable Minimum Standards
4VAC50-30-60A	√		A statement describing the maintenance responsibilities of the permittee for ESC structures and systems is included in all approved plans
4VAC50-30-80.D	√		On all plans, land-disturbing activity occurring at a separate location is shown on the approved plan or has a separate approved plan or there is no offsite activity
4VAC50-30-90A.2	√		Content of approved plans meets the design standards of Chapter 3 of the VESCH or locally adopted design standards
	√		All reviewed plans meet the design standards
			At least 70% of reviewed plans meet the design standards
			Less than 70% of reviewed plans meet the design standards
4VAC50-30-50	√		Approved variances are documented in the plan or approved in writing or variance is not required*

Comment:

Local Program Enhancement Options (For recognition only. No points provided)

Code	Yes	Enhancement Option
4VAC50-30-40.19f	√	Maintenance agreements for permanent facilities are required for plan approval
VESCH	√	Plan preparers and plan reviewers use standard plan review checklists and the completed checklists are maintained in the project file
VESCH	√	A complete Narrative is required on the approved plan
VESCH		Plan reviewers visit sites prior to plan approval
VESCH		Opportunity for inspector review and recommendation is incorporated into the plan review process
VESCH		When plan review is provided by a SWCD or other outside source, the plan reviewer meets with the inspector(s) prior to commencement of land disturbing activity
		Lot by lot grading plans are required for plan approval of subdivision projects
	√	All plans are stamped and dated upon approval

Comment:



PART III: INSPECTION: See attached **Inspection Checklists**

Code	Yes	No	Criteria
4VAC50-30-60A	√		ESC structures and systems are repaired and maintained or violations are noted in inspection reports
	√		On all sites visited ESC structures and systems are repaired and maintained or violations are noted in inspection reports
			On at least 70% of sites visited ESC structures and systems are repaired and maintained or violations are noted in inspection reports
			On less than 70% of sites visited ESC structures and systems are repaired and maintained or violations are noted in inspection reports
4VAC50-30-60B	√		At all sites, inspections are provided during or immediately following initial installation of ESC controls
4VAC50-30-60B			Periodic inspections are provided at the required frequency including Alternative Inspection Programs
	√		All visited sites meet the required inspection frequency
			At least 70% of visited sites meet the required inspection frequency
			Less than 70% of visited sites meet the required inspection frequency
4VAC50-30-60B	√		At completed sites, inspections are provided at the completion of the project and prior to release of any performance bonds
			At least 70% of the visited sites were inspected at project completion or no completed sites were visited
			Less than 70% of the visited sites were inspected at project completion
§10.1-566A 4VAC50-30-90A.3	√		The proper party is given notice of inspection and inspections are documented by inspection reports or recorded in an inspection log if no violations are observed
4VAC50-30-90A.4	√		On all inspection reports, all violations are noted and corrective actions with completion deadlines are specified
§10.1-566A	√		The proper party is given notice of violations
4VAC50-30-40 4VAC50-30-90A.4	√		Sites visited during the program review process comply with the approved plan and applicable VESCR Minimum Standards or local action is taken
	√		All visited sites comply with the plan and the applicable Minimum Standards or action is taken
			At least 70% of visited sites comply with the plan and the applicable Minimum Standards or action is taken
			Less than 70% of visited sites comply with the plan and the applicable Minimum Standards and action is not taken

Comment:

Local Program Enhancement Options (For recognition only. No points provided)

Code		Enhancement Option
4VAC50-30-60B.2		The locality has implemented a Board-approved Alternative Inspection Program
§10.1-566A(ii)	√	The responsible party is required to submit monitoring reports to the plan-approving or permit-issuing authority
VESCH		A pre-construction meeting is held on all sites requiring a plan
	√	Locality has developed a standard inspection report form
	√	Duplicate copies of inspection reports are left on-site with the responsible party
		As-built documentation is required for all permanent SWM facilities installed to meet MS 19

Comment:



PART IV: ENFORCEMENT: See attached **Enforcement Checklists**

Code	Yes	No	Criteria
4VAC50-30-40 4VAC50-30-90A.4	√		When violations of the approved plan or applicable Minimum Standards are observed, Inspection reports document all violations of the approved plan and applicable Minimum Standards and enforcement action (specific corrective actions with completion deadlines) is initiated
	√		Violations are documented and enforcement action is initiated at all times
			Violations are documented and enforcement action is initiated at least 70% of the time
			Violations are documented and enforcement action is initiated less than 70% of the time
§10.1-566A 4VAC50-30-90A.4	√		When violations noted on inspection reports remain during subsequent inspection, a notice to comply (or equivalent higher level enforcement action) is issued
	√		Notice to Comply or equivalent higher level action is issued at all times or corrective action process adequately resolved all issues of non-compliance
			Notice to Comply or equivalent higher level action is issued at least 70% of the time
			Notice to Comply or equivalent higher level action is issued less than 70% of the time
§10.1-566A 4VAC50-30-90A.4	√		All notices to comply (or equivalent enforcement actions) contain specific measures or corrections that need to be made and specify deadlines for completion or higher level enforcement not needed
§10.1-566C 4VAC50-30-90A.4	√		Advanced enforcement such as stop work orders (or equivalent actions) are issued when inspection subsequent to a notice to comply (or other equivalent action) finds continuing violation(s) or when land-disturbing activities commence without an approved plan or when violations are causing or are in imminent danger of causing harmful erosion
	√		Advanced enforcement is taken at all times or advanced enforcement not needed
			Advanced enforcement is taken at least 70% of the time
			Advanced enforcement is taken less than 70% of the time

Local Program Enhancement Options (For recognition only. No points provided)		
Code		Enhancement Option
§10.1-562J §10.1-569	√	Locality has adopted a schedule of civil penalties and fines and uses such as another means of enforcement*
§10.1-562J	√	Locality has developed a schedule of civil charges/administrative fines*
	√	Locality has developed an enforcement policy utilizing other mechanisms to secure compliance, such as revocation of permit and revocation of performance bonds
	√	Locality has developed standard enforcement documents
	√	Locality has disseminated an enforcement policy to the development community
Comment:		

SOUTHAMPTON COUNTY

26022 Administration Ctr. Dr.
P.O. Box 400
Courtland, Virginia 23837



757-653-3015
Fax: 757-653-0227

Lee D. Copeland
Southampton County
Department of Community Development
Post Office Box 400
Courtland, Virginia 23837
March 8, 2012

Mike Johnson
Southampton County Administrator
Post Office Box 400
Courtland, Virginia 23837

Dear Mr. Johnson:

As you know, this office received notice of a satisfactory review of our Erosion and Sediment Control Program by the staff of the Department of Conservation and Recreation. We both are aware how far the Program has come since the first review.

In the seventeen months since I have been the Erosion and Sediment Control Administrator, a number of changes have taken place. The first and most productive change was to have John Jenkins take over the inspection and enforcement segment of the program. The DCR review indicated the hard work and dedication Mr. Jenkins has put into the Program by rating his portion of our Erosion and Sediment Control Program with a perfect 100 percent.

For his hard work and dedication I would like to commend Mr. Jenkins personally and professionally and ask that this letter of achievement be placed in his personnel file. I am

Sincerely,

Lee D. Copeland, CBO, CBCO
Southampton County
Erosion and Sediment Control Administrator

CC: File, John Jenkins Personnel File, John Jenkins, Beth Lewis