

Cold Springs Erosion Control Policy

It is the policy of the Cold Springs Property Owners Association, Inc. (CSPOA) to prevent erosion from home construction sites and the watershed from pollution by siltation of our streams and lakes. The North Carolina Sedimentation Pollution Control Act of 1973 requires property owners to install measures to control erosion and to keep the soil on their property during any land-disturbing activity.

Sedimentation is the largest source of water pollution in North Carolina streams and lakes. Building homes on steep slopes in our mountainous terrain, where rainfall is high and in situ soils are fragile, creates frequent opportunities for soil erosion and sedimentation. Any disturbance of the natural vegetation and soils requires homeowners and their contractors to take special precautions to prevent erosion of their soil and sedimentation from their property.

Certain fees and deposits are required and payable to the Association before any land-disturbing activity or construction project is initiated on property in Cold Springs. The Erosion Control Deposit is fully refundable provided there are no violations of the NC Sedimentation Pollution Control Act, The NC Watershed Protection Act, applicable current or future Macon County ordinances, or this Association policy.

The following fees and deposit amounts are established by the CSPOA Board of Directors and may be changed periodically as the board deems necessary.

Non-refundable Construction Impact Fee	\$ 2,500
Erosion Control Deposit	\$ 1,000
Road Damages Deposit	\$ 1,000

Fines for violations of this policy will be levied and withheld from the refundable deposits by the Board of Directors. The property owner will be notified of a violation by the board of directors. The property owner is responsible for payment of all fines and remedial damages greater than the value of the Erosion Control Deposit. Sustained non-compliance may result in legal action against the owner and the contractors.

Penalties

The Minimum Penalty for failure to comply with this policy, or to maintain erosion control measures is \$ 100 per day for each day in which such non-compliance or maintenance failure occurs. CSPOA fines are independent from, and in addition to, any fines that may result from violations of the North Carolina Sedimentation Pollution Control Act and/or applicable Macon County ordinances. The State or County fines and civil penalties can be up to \$ 5,000 per day of each violation.

The property owner is ultimately responsible for payment of all fines resulting from actions or inaction by the owner or any contractor employed by the owner or the general contractor. The deposits and fines resulting from violation of this policy are Association assessments as defined by Article 9, Sections 9.4 through 9.6 of the Association's Bylaws, and non-payment will result in a loss of member voting rights, late payment charges and interest, and can result in a lien on the property.

The property owner is responsible for making this erosion control policy an integral part of any and all construction and land-disturbing contracts performed on the owner's

property in Cold Springs

The measures described hereafter will normally control and minimize siltation from erosion when properly installed and maintained. Should they fail to do so, under any circumstances of rainfall and storm events, additional measures will be required of the owner and their contractors until the performance criteria are satisfied, erosion and sedimentation are controlled, and all mud and debris is retained on the owner's property.

All costs associated with the installation, maintenance, repair, and replacement of erosion control measures required during the total span of a construction project in Cold Springs are the responsibility of the property owner and his contractors.

Minimum Erosion Control Requirements

Applications for construction in Cold Springs shall include a site plan that shows how and where all erosion control measures and site drainage measures will be installed. The Erosion Control Deposit must be paid to the Cold Springs Property Owners Association at the time a construction application is submitted. As a minimum, every site plan must show silt fencing on the downhill periphery of any area of disturbed earth. Silt fencing shall be placed perpendicular to the downhill slopes and must be properly installed in accordance with the North Carolina Erosion and Sedimentation Control Field Manual available from NC Department of Environment and Natural Resources (DENR). Copies of the installation specifications are also available locally from the Upper Cullasaja Watershed Association of Highlands.

Board Approval of the Site Plan Does Not Relieve the Owner and Contractor from the Responsibility to Control Erosion on the site and to Prevent all mud, silt, gravel, and other debris from leaving the Site.

Erosion control practices shall be aggressive and proactive. To be effective they must be installed prior to any construction activity on the site. Cold Springs and the Highlands plateau experience rainfall totals of 85 - 110 inches annually, with monthly rainfalls averaging 6.7 inches or more every month of the year. Contractors will not be permitted to proceed with construction after site grading until all erosion control measures are properly installed.

Silt fencing shall be attached to metal "T"-posts and reinforced with wire mesh (backed on the down slope side). The bottom 12 inches of the fencing fabric material must be buried in a trench at least 8 inches deep and covered with compacted soil. Silt fencing shall be installed immediately after trees and brush are cleared, before any earth and in situ vegetation are disturbed, and must be inspected by the contractor following every rain event of 0.5 inches or greater. Frequent removal of accumulated silt and debris is required to maintain the functionality of the erosion control practice. If dislodged during a rain event, the bottom 12 inches of the silt fence fabric must be re-buried and new soil compacted over the fabric. If the fencing fabric fails (rips or tears away), the entire section of silt fence fabric must be replaced within two (2) working days, or additional silt fences established immediately down slope.

Cut slopes shall not be steeper than 1.5::1 and fill slopes shall not be steeper than 2::1. Silt fences shall also be installed and maintained around drainage inlets and outlets that handle storm water flow from the owner's property. This protection requirement shall also apply to the first drainage outlet downhill from

the owner's property and other outlets as needed . All drainage outlets must be reinforced with rip rap.

Wheat straw may be used for temporary ground cover during the initial 15-working day period of site preparation. New, rooted vegetative ground cover (in addition to straw) should be installed on all disturbed soil within 15 working days of the initial disturbance. An effective ground cover must be maintained throughout construction.

The designated Board of Directors representative shall be granted site access at any time during construction to inspect the ground cover and other erosion control measures. Construction activity may be halted by unilateral action of the Board until such time the erosion control measures are in compliance with the state law, Macon County ordinances, and this policy.

Driveways should be shaped by cross-sloping or broad-based dips to direct storm water flows off-road frequently to the naturally vegetated areas instead of directing the flow straight down the driveway onto the road and/or an adjoining property. Water diversion from temporary or final driveways should be installed approximately every twenty (20) feet. Longer driveways having shallower slopes and cutbacks are preferred where possible. Except when approved by the board of directors or their designated representative based on unique site topography, driveway slopes shall not exceed 12%.

Because of the heavy rains that can occur overnight, driveways and other equipment access paths required during construction must be protected from storm water flow and erosion **at the end of each work day**. One way in which this may be done is by the placement of a minimum of 2 rows of hay bales across the driveway or path, with the joints between bales staggered and overlapped so that one row of hay bales completely covers the joints of the other. To be effective, the bottom row of bales should be staked on the downhill side to hold them in place. The bales may be removed during the daily construction activity, **but must be replaced each night**.

Temporary driveways, contractor parking areas, and equipment access paths should be graveled during construction to protect them from rutting and erosion. Any sedimentation and debris allowed onto a paved road must be cleaned up within one (1) working day following the completion of a rain event.

Additional Minimum Requirements Where Slope Exceeds 25%

Where any disturbed land area has a slope of 25 per cent or greater (25 feet of vertical fall in 100 feet of horizontal run), the site plan must provide additional, preventative measures. The minimum requirement is an additional silt fence installed 6 - 10 feet below the primary erosion control fence and situated in the area(s) expected to receive the greatest volume of water during a rain event. This additional silt fence must be at least the length of the primary fence, or longer as directed by the designated Board of Directors representative. Placement of the secondary silt fence may be changed by agreement of the Board representative and the contractor because of site specific constraints.

Where possible, catch basins or stormwater retention ponds shall be installed to collect concentrated run-off. All basins will be drained by buried 6-inch or larger, flexible drainpipes discharging to the sides and away from any disturbed earth areas into the natural vegetation and forest so that the volume of water flow over the disturbed area is reduced. To prevent erosion caused by high water velocities during a rain event, 3-inch, or larger gravel and or rip-rap shall be placed at the discharge outlet of all flexible drainpipes to slow and disperse the stormwater flow. **NO drainage pipe shall be allowed to discharge into a water body.**

Requirements For Rocky Sites

When in-situ rock prevents the normal installation of a silt fence by driving the steel posts and trenching to bury the bottom of the fencing fabric, the silt fence may be routed around (preferably up slope) the rock area if practical. Alternately, the rock shall be drilled to a depth of 18 inches and steel posts installed to support the silt fence fabric and reinforcing wire mesh. Compacted soil or gravel must be used to anchor the lower 12 inches of fencing fabric on the uphill side to hold the siltation and to prevent blowouts by stormwater flows. Wheat straw or hay bales stacked tightly behind the fence fabric is encouraged for additional reinforcement over rocky areas.

Board Authority and Policy Adoption

Being a corporation in the State of North Carolina and the sole body organized and authorized to represent the collective rights and interests of all property owners in the Cold Springs Saddle and Tennis Club Development, the Board of Directors of the Cold Springs Property Owners Association, Inc., by a majority vote of the Directors hereby adopts this policy and places it into effect on the First Day of July 2006.

By: _____ Date: 6/5/2006

Robert K. Wright
President, Board of Directors
Cold Springs Property Owners Association, Inc.
159 Stable Lane
Highlands, NC 28741
In Macon County, North Carolina

Attested By: _____, Secretary Date: _____