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City Offices Closed in Observance of Holidays

Please note City administrative offices will be **closed** on **Monday, Tuesday, and Wednesday** of next week, (**December 25-27**) in observance of the **Christmas** holiday. Administrative offices will also be closed **Monday, January 1** on observance of **New Year's Day**.

Please also note that due to the holiday schedule, publication of the agenda for the January 2, 2024, City Council meeting will be delayed to Friday, December 29th.

Regular Council Meeting Tuesday, January 2, 2024 - Afternoon and Evening Sessions

Reminder that Council will meet **Tuesday, January 2** in regularly scheduled sessions at **1:00 P.M.** and **7:00 P.M.** As indicated above, the agenda for the meeting will be published next Friday (December 29).

INFORMATION:

Green Stormwater Infrastructure Policy Implementation for City Projects

Staff Resource: Sally Hoyt, Engineering Services, 996-4388, sally.hoyt@raleighnc.gov

The Green Stormwater Infrastructure (GSI) policy has recently been fully implemented, following vetting and comment by involved departments. As Council may recall, the policy encourages the use of GSI on projects undertaken by the City, where land disturbance activities are part of the City project. With implementation of this policy, Raleigh will "lead by example" in implementing GSI in the overall community.

As a reminder for Council, GSI practices are implemented to reduce stormwater runoff, improve water quality in streams and lakes, and to provide ecological and social benefits where installed. Staff with the Stormwater division is excited about this important program milestone and looks forward to working with all departments to implement GSI on appropriate projects to bring these benefits to the community.

More information on GSI can be found on the city website: [Advancing Use of Green Stormwater Infrastructure](#).

(No Attachment)

Weekly Digest of Special Events

Staff Resource: Sarah Heinsohn, Office of Special Events, 996-2200, sarah.heinsohn@raleighnc.gov

Included with the *Update* materials is the special events digest for the upcoming week.

(Attachment)

Council Member Follow Up Items

General Follow Up

Erosion and Sediment Control Requirements – Durham County

Staff Resource: Lauren Witherspoon, Engineering Services, 996-3505, lauren.witherspoon@raleighnc.gov

During the September 26 meeting of the Growth and Natural Resources Committee, Committee Chair Harrison inquired about recent enhancements that Durham County had initiated to their Erosion and Sediment Control (E&SC) program. Staff has reached out to Durham County to discuss these enhancements and a memorandum is included with the *Update* materials which compares aspects of the Raleigh Erosion and Sediment Control program with the Durham County program.

Staff believes that the Raleigh ES&C program is equally or more stringent in most requirements as compared to the Durham County program. The primary revisions that Durham County has made are in wetlands and riparian buffer areas and in locations where Triassic soils are present. Typical erosion control measures are less effective in Triassic soils; there are few of these soils present in the Raleigh jurisdiction. The City does not have stricter regulations based on soil type or in wetlands or riparian buffer areas, but has authority to require more stringent controls when existing controls are deemed inadequate. The staff memorandum provides additional detail.

(Attachment)

Weekly Events Digest

Friday, December 22 – Thursday, December 28

City of Raleigh Office of Special Events
specialevents@raleighnc.gov | 919-996-2200 | raleighnc.gov/special-events-office

Permitted Special Events

[Illuminate Art Walk 2023](#)

Locations throughout Downtown

Through Friday, January 5

Event Time: 4:45pm - 11:00pm daily

Associated Road Closures: No roads will be closed for the event. Market Plaza, Exchange Plaza, and the off-street portions of City Plaza will be used until 8:00pm on 1-10-24.

Other Upcoming Events

[A Candlelight Christmas – NC Symphony](#)

Friday, December 22 & Saturday, December 23

Meymandi Concert Hall

[Detroit vs. NC State](#)

Saturday, December 23

PNC Arena

[New York Islanders vs. Carolina Hurricanes](#)

Saturday, December 23

PNC Arena

[The Dessertery](#)

Through Saturday, December 23

Kennedy Theatre

[The Nutcracker presented by PNC – Carolina Ballet](#)

Through Sunday, December 24

Memorial Auditorium

[Montreal Canadiens vs. Carolina Hurricanes](#)

Thursday, December 28

PNC Arena

[THE RINK presented by UNC Health](#)

Through Monday, January 15

Red Hat Amphitheater

Public Resources

[Pilot Text Alert Program](#): Sometimes spontaneous events happen downtown and in other areas that could affect local businesses. If you'd like to receive notifications when those events happen, including unpermitted ones, sign up for text alerts.

[Event Feedback Form](#): Tell us what you think about Raleigh events! We welcome feedback and encourage you to provide comments or concerns about any events regulated by the Office of Special Events. We will use this helpful information in future planning.

[Road Closure and Road Race Map](#): A resource providing current information on street closures in Raleigh.

[Online Events Calendar](#): View all currently scheduled events that impact city streets, public plazas, and Dorothea Dix Park.

Council Member Follow Up



Raleigh

MEMO

TO: Wayne Miles, Stormwater Program Manager
FROM: Lauren Witherspoon, Engineering Supervisor
DEPARTMENT: Engineering Services
DATE: December 8, 2023
SUBJECT: Durham County vs City of Raleigh
Erosion and Sedimentation Requirements

Introduction

Council Member Harrison inquired whether the City should consider Durham County's practice of site monitoring during construction for stormwater management and stabilization. City Stormwater staff researched Durham County's erosion and sedimentation control (ESC) regulations and spoke briefly at the Growth and Natural Resources Committee on November 28, 2023 regarding Durham's recently increased regulations. This memo provides more detailed information comparing the City of Raleigh and Durham County erosion and sediment control (ESC) programs and requirements.

Background

Durham County and the City are both state-delegated local programs to enforce ESC requirements within their respective jurisdictions. A local program is required by the state to, at a minimum, implement the Sedimentation Pollution Control Act (SPCA) which must be enforced through an adopted ordinance. Both Durham County and the City have erosion and sedimentation ordinances that have adopted more stringent regulations than the SPCA. The following are a few of the areas where more stringent regulations have been applied: threshold for land disturbing activity requiring a permit and/or plan, groundcover requirements, inspection requirements, and increased sediment and erosion control measure installation requirements.

Comparison of City of Raleigh and Durham County ESC Programs

Based on staff research, a comparison of the City of Raleigh and Durham County ESC programs and key elements has been conducted and is summarized in Table 1. Based on this research, the City of Raleigh's ESC program is more stringent as compared to the Durham County program in the following areas:

- Threshold requiring land disturbance permit and/or erosion and sedimentation control plan.
- Inspections recurrence intervals.
- Ground cover requirements.
- Time frame to return non-compliant sites into compliance.

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

One Exchange Plaza
1 Exchange Plaza,
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

The Durham County ESC program is more stringent as compared to the City of Raleigh program in the following areas:

- Two rows of silt fence are required in wetlands and riparian buffers vs. 1 row (Raleigh may require an additional row if poor performance dictates additional measures are required);
- Where Triassic soils exist, Durham County requires more stringent design and operational requirements be met by ESC measures as described below.

Durham County – Recent ESC Regulation Changes

In May 2023, Durham County adopted new regulations in areas adjacent stream buffers and wetlands and in the portions of Durham County with underlying Triassic soils. Triassic soils are made up of very fine clay particles that take a very long time to settle out of the water column. Typical erosion control measures are less effective for projects with these soil types. A portion of the City's Extraterritorial Jurisdiction (ETJ) has underlying Triassic soils (see Figure 1 below).

The City does not currently have stricter regulations solely based on soil type. The City does apply more stringent regulations in some areas where Durham County does not. Attached is a spreadsheet and supporting figures that offer a side-by-side comparison of Durham County vs. City ESC requirements. This list is not all inclusive but highlights the major components of each program's respective regulations.

Table 1. Comparison of Key Elements of Erosion and Sediment Control Programs

Durham County	City of Raleigh
Threshold Requiring Land Disturbance Permit and/or Erosion and Sedimentation Control Plan	
<12,000 sq ft – <ul style="list-style-type: none"> Permit & Plan may be required when off-site sediment/threat of is occurring 	<12,000 sq ft – <ul style="list-style-type: none"> Permit & Plan may be required when off-site sediment is occurring. In any Watershed Protection Area Relocation of any natural watercourse When a person conducting land disturbance activity has been issued 2 NOVs within 2-year period
12,000 sq ft to 20,000 sq ft – <ul style="list-style-type: none"> Permit Required throughout Durham Co. Plan Required only in watershed critical areas 	≥12,000 sq ft – <ul style="list-style-type: none"> Permit & Plan Required throughout City
>20,000 sq ft or greater – Permit and Plan Required throughout Durham Co.	
Internal Inspections	
One time a month	Once every two weeks
One inspector/site (higher risk sites – 2 inspectors)	Three rotating inspectors/site
Groundcover Requirements	
Require NCG010000 stabilization requirements ¹ on Plans for all sites >20,000 sq ft	Enforce 14 days groundcover sites ≥12,000 sq ft to 1 ac NCG010000 stabilization requirements ¹ sites >1 ac
Non-Compliant Sites	
Timeframe for compliance (14 days or more)	Timeframe for compliance (7 days or less)
Re-inspection required for compliance check (but typically frequency of inspection does not increase)	Inspections increase in frequency (typically once every 7 days until site is compliant)
NA	Sites with continued non-compliance: When more than one not in compliance report is issued for a project within 6 months the following non-compliant action will go straight to Notice of Violation.
Silt fence adjacent riparian buffers or wetlands	
Two rows of silt fence at least 3 feet apart (Effective May 2023)	One row of silt fence unless issue occurs in which additional measures will be required
Increased Regulations for Projects with Underlying Triassic Soils² (Effective in Durham County May 2023)	
Flocculants must be used on site	NA* (City does not require flocculant use but it is encouraged)
Sediment basins must have a minimum volume of 5,400 cu ft per acre and a minimum dewatering time of 4 days.	NA* (Sediment basins must have a minimum volume of 3,600 cu ft per acre and a minimum dewatering time of 4 days, additional detention requirements, and maximum peak rate of runoff for 10-yr and 25- year storm)
Moderate and steep slopes must be stabilized with matting and/or hydroseeding in order to more rapidly establish groundcover.	NA* (No specific type of groundcover type is required on slopes unless groundcover measure fails to retain sediment. Hydroseeding or matting recommended on slopes for all sites ≥12,000 sq ft)
3 rd party inspections within 24 hours of ½ inch of rainfall or greater	NA* (3 rd party inspections to be conducted on all sites >1 acre per NCG010000 requiring inspection within 24 hrs after 1 inch of rainfall or greater)

*The City of Raleigh does not have increased regulations in the areas of the City with mapped underlying Triassic soils. The only portion of the City’s ETJ within the Triassic Basin covers approximately 6.8 sq mi in and around the intersection of I-540 and US 70 (Brier Creek area) (See Figure 1 below). The text in parenthesis are requirements throughout the City.

¹NCG010000 Stabilization Requirements are shown below in Table 2. The NCG010000 is a construction stormwater permit that is issued/enforced by the NC Division of Land Resources.

² Durham County’s Triassic Soils Map Link: <https://www.dconnc.gov/county-departments/departments-a-e/engineering-and-environmental-services/stormwater-and-erosion-control-division/erosion-control>

Figure 1: Approximate area (shaded peach) of Raleigh's ETJ with underlying Triassic Soils.

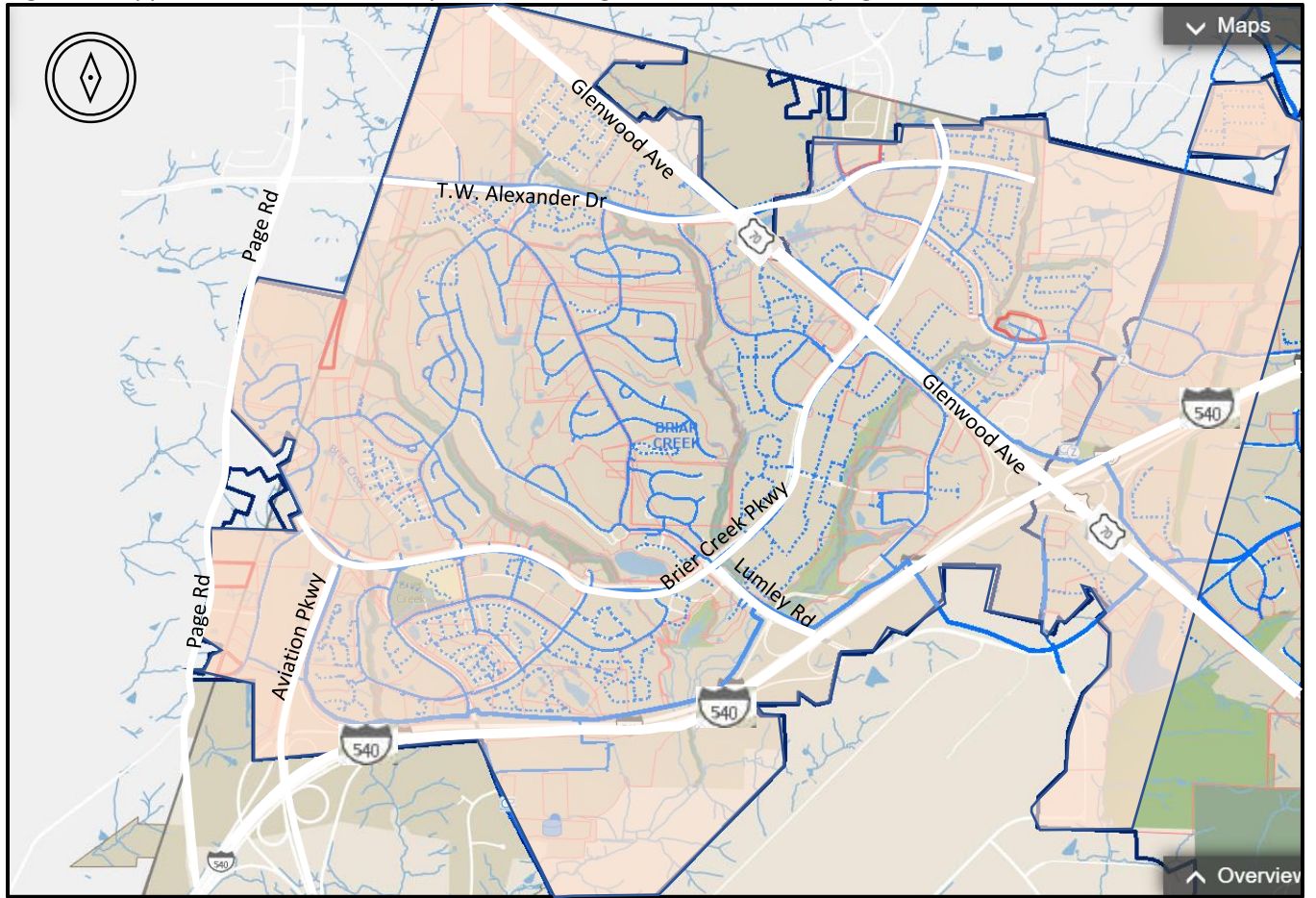


Table 2. NCG010000 Stabilization Requirements

Required Ground Stabilization Timeframes		
Site Area Description	Stabilize within this many calendar days after ceasing land disturbance	Timeframe variations
(a) Perimeter dikes, swales, ditches, and perimeter slopes	7	None
(b) High Quality Water (HQW) Zones	7	None
(c) Slopes steeper than 3:1	7	If slopes are 10 feet or less in length and are not steeper than 2:1, 14 days are allowed
(d) Slopes 3:1 to 4:1	14	-7 days for slopes greater than 50' in length and with slopes steeper than 4:1 -7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed
(e) Areas with slopes flatter than 4:1	14	-7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed unless there is zero slope

Note: After the permanent cessation of construction activities, any areas with temporary ground stabilization shall be converted to permanent ground stabilization as soon as practicable but in no case longer than 90 calendar days after the last land disturbing activity. Temporary ground stabilization shall be maintained in a manner to render the surface stable against accelerated erosion until permanent ground stabilization is achieved.