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**ENVIRONMENTAL MANAGEMENT
COMMISSION**

TOWN OF APEX, NORTH CAROLINA

OFFICE OF THE TOWN CLERK

Georgia A. Evangelist, MMC
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CLERK'S CERTIFICATION

STATE OF NORTH CAROLINA COUNTY OF WAKE

I, Georgia A. Evangelist, MMC, Town Clerk, Town of Apex, North Carolina, Wake County, do hereby certify the attached is a true copy of an original Resolution No. 07-0717-14, "Requesting The North Carolina Environmental Management Commission Adopt the Proposed Jordan Lake Reservoir Nutrient Rules", having been duly adopted by the Town Council of Apex, North Carolina at their July 17, 2007 meeting, with an original having been filed in the permanent minutes in the Town Clerk's Office, Apex Town Campus, 73 Hunter Street, Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 30th. day of July 2007.

Georgia A. Evangelist
Georgia A. Evangelist, MMC
Town Clerk, Apex, North Carolina



- Seal -

#07-0719-10

**RESOLUTION REQUESTING
THE NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
TO ADOPT THE PROPOSED
JORDAN LAKE RESERVOIR NUTRIENT RULES**

WHEREAS, the Jordan Lake reservoir is the source of drinking water for the Town of Apex; and

WHEREAS, the Jordan Lake reservoir is a popular recreation destination for over 1,000,000 visitors each year, including residents of Apex; and

WHEREAS, the Jordan Lake Reservoir is on the EPA 303(d) list of impaired waters due to excessive nutrients from wastewater effluents and non-point source pollution; and

WHEREAS, the State of North Carolina first directed local governments to reduce nitrogen levels from wastewater treatment plant effluent into the Jordan Lake Reservoir in 2007 under the "Clean Water Responsibility Act;" and

WHEREAS, those nitrogen levels have not been reduced; and

WHEREAS, the draft Jordan Lake Reservoir Supply Nutrient Strategy and Rules developed with the Stakeholder group and presented by the North Carolina Division of Water Quality to the Water Quality Committee of the North Carolina Environmental Management Commission in May 2005, set an implementation deadline for wastewater treatment plan nitrogen reductions beginning with calendar year 2011; and

WHEREAS, the nutrient loading into Jordan Lake Reservoir has increased since the rule making process began, and will continue to increase due to population growth in the greater Triangle and Triad areas of North Carolina until nitrogen reductions are required by law; and

WHEREAS, the draft Jordan Lake Reservoir Supply Nutrient Strategy and Rules presented by the North Carolina Division of Water Quality to the Water Quality Committee of the North Carolina Environmental Management Commission in January 2007 recommended that the implementation of the wastewater treatment plant nitrogen reductions be pushed back to 2016; and

WHEREAS, the threat to the water quality in Jordan Lake Reservoir and to the drinking water supply, as well as to recreational users will be increased by the recommended delay in implementations from 2011 to 2016:

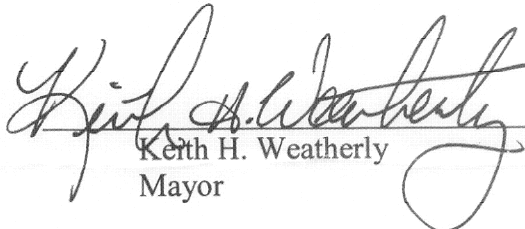
NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Apex that the North Carolina Environmental Management Commission is hereby requested to adopt Jordan Lake Reservoir Supply Nutrient Strategy and Rules with a compliance date for nitrogen loading reduction requirements of no later than

2011, as originally recommended, in order to protect the public health and welfare of the citizens of North Carolina.

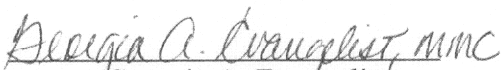
Enacted this the 17th day of July, 2007

Introduced by Council Member: Gossage

Seconded by Council Member: SUTTON


Keith H. Weatherly
Mayor

Attest:


Georgia A. Evangelist
Town Clerk

