

R-E-S-O-L-U-T-I-O-N

WHEREAS, the North Carolina Department of Environment and Natural Resources on June 15, 2007 published rules which, if adopted, will be the strictest watershed rules to date in the state and will enforce nutrient limits and implement a nutrient management strategy for the Jordan Lake watershed; and

WHEREAS, the Jordan Lake watershed consists of two distinct arms – the Haw River and New Hope Creek arms; and

WHEREAS, the Haw River arm encompasses a larger area than the New Hope arm and includes all or a part of Alamance, Caswell, Guilford, Rockingham, Orange and Chatham counties; and

WHEREAS, the two arms have different development patterns and highly divergent characteristics such as an average water flow retention time of five days in the Haw arm and 418 days in the New Hope arm; and

WHEREAS, the proposed rules present numerous policy, scientific and economic problems such as treating the Jordan Lake watershed as a whole, disregarding the clear differences between the sub basins; and

WHEREAS, substantial problems relating to data credibility have been identified and the data cited does not support the proposed point and non-point source rules; and

WHEREAS, nitrogen from agricultural and forestry nonpoint sources consists of 55% of the load flowing into the Reservoir, and phosphorus from the same sources consists of 66% of the load; and

WHEREAS, despite the abovementioned facts, the rules call for local governments to bear 75% of the \$565 million cost of unprecedented nonpoint source measures including stormwater retrofits for existing development and costly nutrient reduction loads for all new development; and

WHEREAS, local governments must also shoulder an additional \$211 million over ten years to further upgrade wastewater treatment plants to meet pollution load reduction targets; and

WHEREAS, a coalition of cities and counties, the Haw River Clean Water Agencies, have worked for more than two years to pay for independent water quality testing, to identify and substantiate problems with data relied on by the state, and to communicate their concerns to staff of the Division of Water Quality and the Environmental Management Commission; and

WHEREAS, despite these efforts, fundamental problems consistently cited by the Haw River Arm local governments persist in the proposed rules; and

WHEREAS, the proposed rules, if adopted without modification by the Environmental Management Commission, would be precedent setting for North Carolina, inequitable in their application and exorbitant in their cost;

NOW THEREFORE BE IT RESOLVED that the *TOWN OF HAW RIVER* by adoption of this Resolution goes on record in opposition to the Jordan Lake rules as proposed; and

BE IT FURTHER RESOLVED, that the *TOWN COUNCIL OF HAW RIVER* will work diligently in upcoming public hearings to point out factual discrepancies, inequitable application and long-term economic detriment to local governments and the private sector presented by the rules; and

BE IT FURTHER RESOLVED that the *TOWN COUNCIL OF HAW RIVER* will, during the public hearing process, proactively identify opportunities to modify the rules based on principles of sound science, quantifiable

impacts, and coalition building with the agricultural community and local governments throughout the Jordan Lake watershed; and

BE IT FURTHER RESOLVED that the **TOWN COUNCIL OF HAW RIVER** will advocate for these initiatives with the hope of success with the Environmental Management Commission and if the rules are not reasonably modified at that level, to pursue the initiatives with the N.C. Rules Review Commission and, if necessary, in a subsequent session of the General Assembly.

ADOPTED THIS 6th day of August 2007 by the **TOWN COUNCIL OF HAW RIVER**

Mayor:

Buddy E. Bozpp

Town Clerk:

Misty Hagood