

Received 8/28/07 US Mail

Return Address: Home Builders Assoc. of
Burlington - Alamance County

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 urban nonpoint sources is only 45% of the load flowing into the Reservoir, and phosphorus from urban sources is only 34% of the load; and

WHEREAS, the fiscal note dramatically underestimates the costs of the retrofitting of existing development and the costs to new development, all of which are passed on to consumers and tax payers; and

WHEREAS, despite the abovementioned facts, the rules call for urban development and local governments to bear the vast majority of the costs 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 which has revealed no exceedences of nitrogen or phosphorus during that time, 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 and the nation, inequitable in their application and exorbitant in their cost;

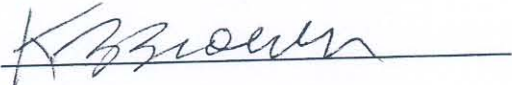
NOW THEREFORE BE IT RESOLVED that the (association) by adoption of this Resolution goes on record in opposition to the Jordan Lake rules as proposed; and

BE IT FURTHER RESOLVED, that the *association* 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 *association* 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 *association* 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 20 day of Aug, 2007 by the *association*.

A handwritten signature in dark ink, appearing to read "K. Brown", is written over a horizontal line.

2007 Chairman/President

Jordan Lake

Mr. T. J. Jones

James Hunter

Virginia Wilburn

Willie Huxford

John H. H.

Hubert H.

Mike H.

Linda H.

W. H.

James Wilson

W. H.

Angela Hunter

David M.

Henry H.

James H. Scott

David Reed

W. H. H.

SAY NO to

Jordan Lake

KIM GARTON

Judi Baker

Frank Tank

Donal Hoke

Mike Harrison

Mike Hebert

Don Ratten

JD Heber

Lisa Baron

Michelle Foster

John H. H. H.

Bill Brown

Don Lubeck

Ned M. Heath

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Cindy Smith

Roger Stutts

W. D. Wey

Fred Helges

Larry Lee

Sam Deen

Don Miller

Joseph