



• **COUNTY COMMISSIONERS**

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• **COUNTY MANAGER**

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**RESOLUTION BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS IN
OPPOSITION TO MODIFICATION OF THE CRITICAL WATERSHED BOUNDARY
OF THE B. EVERETT JORDAN RESERVOIR**

WHEREAS, the B. Everett Jordan Reservoir (Jordan Lake) is located predominantly in Chatham County and is a valuable resource to the region and state of North Carolina for recreation, water supply and wildlife habitat; and

WHEREAS, Jordan Lake is the source of drinking water for Chatham County and the Town of Cary, the Town of Apex, Town of Morrisville and the Wake County portion of Research Triangle Park, and a potential source of drinking water for the city of Durham, Orange County and the Orange Water and Sewer Authority (OWASA); and

WHEREAS, the Durham County Board of Commissioners has requested a reduction in the critical watershed boundary of the normal pool boundary level of Jordan Lake based upon a survey, paid for and conducted by a private development team, lead by Neal Hunter; and

WHEREAS, this survey was designed with the purpose of allowing additional density in the Upper New Hope section of the lake; and,

WHEREAS, precedent, requiring independent surveys on public waters, has already been set in Durham County with respect to another watershed, and the Durham County Manager, the County Planning Director and the County Attorney have recommended that Durham provide its own, independent survey of the Jordan Lake normal pool boundary; and

WHEREAS, Jordan Lake has been on the EPA 303 (d) Impaired Waters list since 2002 due to excess nutrients, and the Upper New Hope arm of Jordan Lake has been determined to be the most impaired section of the lake; and

WHEREAS, nutrient impairment continues to increase in the Upper New Hope arm watershed due to construction sedimentation and polluted stormwater from new development; and

WHEREAS, the Upper New Hope arm of the lake includes the Jordan Lake watershed areas of Durham County and the City of Durham; and

WHEREAS, the State of North Carolina has recognized the impairment of the Upper New Hope arm of the lake and is in the process of enacting rules to requiring a 35% reduction in nitrogen loading, and 5% reduction in phosphorus loading in this arm of the lake; and

WHEREAS, any reduction in the Critical Watershed Boundary would allow for denser development in the area closest to the lake, thereby creating more pollution and impairment; and


WHEREAS, the Chatham Board of Commissioners is committed to protecting our natural resources, and has recently enacted revisions to strengthen environmental protections in the Chatham County Soil and Erosion Control Ordinance, the Watershed Protection Ordinance (including buffers on ephemeral streams), the Zoning Ordinance, and the Subdivision regulations, and has created a new Stormwater Management Ordinance, all working in harmony to protect water quality; and

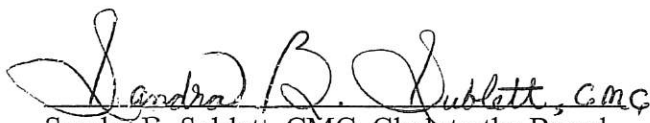
WHEREAS, the Chatham County Board of Commissioners recognizes that land use decisions are critical to the protection of the drinking water supply and has recommended that all Chatham lands north of White Oak Creek east of Jordan Lake to the Durham line be zoned with minimum five acre lots; and

NOW THEREFORE, BE IT RESOLVED, on this 15th day of December 2008, that the Chatham County Board of Commissioners strongly opposes any activity which would lead to additional impairment of the B. Everett Jordan Reservoir.

BE IT FURTHER RESOLVED, in the interest of the protection of the public health and welfare of those who utilize Jordan Lake and drink its waters, and in the principles of environmental stewardship, the Chatham County Board of Commissioners, hereby requests that the boundary of the Upper New Hope arm of Jordan Lake remain unchanged by the State of North Carolina unless an independent, impartial and thorough survey is conducted to determine the normal pool boundary for Jordan Lake.

Copies of this Resolution shall be transmitted to the North Carolina Division of Water Quality and to the governing bodies of the Counties of Durham, Orange and Wake and to the municipalities of Durham, Apex, Carrboro, Cary, Chapel Hill and Morrisville, and the board of Directors of OWASA for their consideration and appropriate action.


George Lucier, Chairman


Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners