

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 5.

Date of Request: March 3, 2008

Date Request Received: March 3, 2008

Board Meeting Date Requested: March 10, 2008

Board Meeting Date Assigned: March 10, 2008

Short Title: Resolution By The Pender County Board Of Commissioners Opposing Division Of Water Quality-Proposed Changes To Title 15a.

Request Status:

- Request is proceeding to Board of Commissioners
- More information is needed – see attached
- Request on hold – no further information needed
- Other:

Background: Along with other counties and towns, Pender County is opposing the proposed changes to Title 15A and is requesting that the State of North Carolina provide resources to ensure that current water quality standards can be monitored and evaluated in order to develop an objective assessment as to their effectiveness.

(Administrative Use Only)

Specific Action Requested: Review and approve the resolution.

CONTRACT TYPE

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
 - Federal Grantor
 - State Grantor
 - Grant or
- County as Grantor
 - County Funds
 - Other Funds:
- Revision
- For Equipment

Requested by: F.D. Rivenbark
Department: Commissioner
Title:
Contact Phone: 910-259-1200
Contact Fax:

PURCHASING Budgeted Item: Yes No
Date Rec'd: Reviewed and Approved
 Comments on Reverse

Date Sent:

Signed:

ATTORNEY Reviewed and Approved
Date Rec'd: Legal Problem(s)
 Comments on Reverse

Date Sent:

Signed:

FINANCE Sufficient Funds Available
Date Rec'd: Not Available
 Budget Amendment Necessary
 Budgeted Amendment is Attached
 Comments on Reverse

Date Sent:

Signed:

CLERK Signature(s) Required:
 Board Chairman/County Manager
 Other:

Date Rec'd Approved by Board: Yes No
At meeting on



**RESOLUTION BY THE PENDER COUNTY BOARD OF COMMISSIONERS
OPPOSING DIVISION OF WATER QUALITY-PROPOSED CHANGES TO TITLE 15A, DENR**

WHEREAS, the Title 15A DENR rules are an attempt at providing similar criterion required for the State's 20 Coastal Counties as those of the Phase II rules that were adopted July 1, 2007; and

WHEREAS, the greatest potential effect of the adoption of these rules would be developmental activities proposed within ½ mile of SA waters, requiring that no developmental activities would be allowed within 50' of the mean high water line, increased from 30'; and

WHEREAS, the rules as proposed would require that low density developments, runoff primarily handled by vegetative conveyances, swales, would be reduced from 25% previously to 12%; and

WHEREAS, the rules may require the developer to opt for the high-density option, which does not place a limit on Impervious coverage, but will require additional storage mechanisms; and

WHEREAS, those areas not within ½ mile of SA water will see a decrease from 30% Impervious coverage to 24% Impervious coverage for the low-density option; and

WHEREAS, the rules, if approved, would provide greater restrictions for developmental activities within the County as follows:

- Increased buffer from mean high water line for all areas within the County for proposed developments from 30' to 50'.
- Decrease in Impervious coverage for those developers who choose the low-density option.
- Prohibiting new points of stormwater discharge to SA waters or increasing the volume of flow through existing drainage networks that drain to SA waters; and

WHEREAS, the proposed rules do not address existing development, redevelopment and vested rights.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Pender opposes the proposed changes to Title 15A and request that the State of North Carolina provide resources to ensure that current water quality standards can be monitored and evaluated in order to develop an objective assessment as to their effectiveness.

Adopted this the 10th day of March, 2008.

James David Williams, Jr., Chairman

ATTEST:

Al Greene, Clerk to the Board