RESOLUTION 2008-35

Resolution of Support and Commitment to Mitigative Measures to Address Secondary and Cumulative Impacts Associated with Water and Sewer Utility Projects

WHEREAS the Town of Zebulon [hereinafter known as the TOWN] is a growing Community facing the challenges of providing its residents with necessary public services, and

WHEREAS the City of Raleigh owns and operates the water and sewer utilities in the TOWN under the terms of the contract titled *Merger Agreement Merging the Water and Sewer Utility Systems Zebulon, North Carolina and Raleigh, North Carolina* [herein known as the MERGER AGREEMENT]; and

WHEREAS the TOWN and the City of Raleigh recognized within the MERGER AGREEMENT that anticipated population growth within the utility service area would require additional water and sewer infrastructure; and

WHEREAS pursuant to terms of the MERGER AGREEMENT and the needs of Eastern Wake County communities, the City of Raleigh is seeking to expand the capacity of the Little Creek Wastewater Treatment plant and the EM Johnson Water Treatment Plant; and

WHEREAS the City of Raleigh wishes to secure approvals for the proposed Little River Reservoir Project; and

WHEREAS the TOWN and the City of Raleigh seek to develop a Secondary and Cumulative Impacts Management Plan and subsequent Memorandum of Understanding with the North Carolina Department of Environment and Natural Resources for the purpose of mitigating effects of secondary and cumulative impacts resulting from new water and sewer utility projects, and

WHEREAS the TOWN will be a user of the aforementioned projects as it continues to grow, and

WHEREAS each of these projects require approval of Environmental Documents in accordance with the State Environmental Policy Act, and

WHEREAS the Environmental Document approvals require communities benefiting from utility infrastructure improvements to adopt measures to protect against secondary and/or cumulative impacts associated with growth, and

WHEREAS the TOWN Board of Commissioners remain committed to the protection of the environment, the preservation of water and air quality and the quality of life for its residents and citizens;

NOW THEREFORE BE IT RESOLVED that the Town of Zebulon Board of Commissioners recognizes the current high degree of water and air quality that exists within the boundaries; Extra Territorial Jurisdiction and Long Range Urban Service Area of the TOWN and the Board of Commissioners agree to preserve water and air quality by implementing the measures described herein.

1. FLOODPLAIN PROTECTION: The TOWN agrees to pursue ordinance modification that would explore prohibiting development in the 100-year floodplain; however, to the extent possible under current state and federal regulations, this prohibition will not exclude development of greenways, public parks, and utility infrastructure.

2. TREE PROTECTION AND PRESERVATION: The TOWN agrees to pursue tree protection and preservation as a component of the Comprehensive Plan which is currently being written.

3. STORMWATER REGULATION AND CONTROL: The TOWN agrees to pursue an ordinance modification that would strengthen the current stormwater policy as a community located within a tipped county in regard to Phase II stormwater regulations.

4. BUFFERS: Stream buffer protection is recognized as an important component of watershed management. The TOWN agrees to pursue ordinance modifications for stream buffers directly adjacent to perennial stream surface waters located within its current and future land use jurisdiction and to encourage Wake County to add major tributaries to Buffalo Creek and the Little River to open space acquisition corridor priority list.

IN WITNESS WHEREOF, The Board of Commissioners of the TOWN has approved this resolution and has caused it to be signed by the Mayor of the TOWN and attested to by the Clerk of that Board, this the 7th day of April, 2008.

Robert S. Matheny—Mayor

TOWN OF ZEBULON INCORPORATED SEAL 1907 NORTH CAROLINA

Lisa M. Markland, CMC

Lisa M. Markland, CMC—Town Clerk