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TO: The Guilford County Planning Board  
CC: The Guilford County Board of Commissioners

August 8, 2007

**Comments on the Development Proposal by Jordan Lake Preserve Corporation on the Thaxton Richardson Property on Church St. Extension**

The Haw River Assembly is a non-profit citizen organization that has worked since 1982 to protect the Haw River and its tributaries. We have over 1500 members and volunteers in the counties that comprise the Haw River basin, including Guilford County. We respectfully submit the following comments on the re-zoning request that has been made for the land owned by Thaxton Richardson (case #07-07GCPL-04974). This property is adjacent to the Haw River and is within the area for the Haw River State Park.

**We believe the re-zoning of this land for a major golfcourse housing development will have significant adverse impacts on water quality in the Haw River and on the future of the Haw River State Park. In addition, we wish to describe the problems we saw with this same developer, Jordan Lake Preserve (the NC affiliation of Bluegreen), with sediment violations and other issues when they built two golf course developments in Chatham County where our organization is based.**



*Mud in Dry Creek from Bluegreen's Chapel Ridge development enters the Haw River July 2005 photo by Jerry Markatos*

## **Our concerns are summarized in these following points:**

### ***1. High risk of sediment pollution into the Haw River.***

Land clearing on 691 acres for the construction of 775 housing units, a golf course and an on-site waste water system will have a high risk of erosion and subsequent run-off of sediment into the Haw River.

This project will require tremendous clear-cutting, grading and land disturbance. Even if done well, current sediment control laws will not prevent streams and the Haw River from becoming highly turbid with suspended sediment – perhaps for very long periods. But there is the added risk of sediment controls not being adequately built, managed or maintained which can result in Notice of Violation of the State Sedimentation Pollution Control Act. A serious incident can damage the stream and the life that it inhabits for a very long period of time – even years.

The Haw River Assembly knows first hand what kind of problems may arise from this proposed development. Jordan Lake Preserve Corporation/Bluegreen has built two very large developments in Chatham County (about 600 to 700 acres each). They violated state environmental laws and conditions of permits while building these golf course/housing developments. "The Preserve at Jordan Lake" is a golf course and housing development adjacent to the Jordan Lake reservoir lands. The other "Chapel Ridge", is adjacent to Dry Creek, a few miles upstream of the Haw River and the Lower Haw River State Natural Area. The developer received Notices of Violation of the NC Sedimentation Pollution Control Act while building both of these projects.

The violation in 2005 at Chapel Ridge was a very serious one that left heavy mud deposits in a beautiful creek all the way downstream to its confluence with the Haw River. (See photo). Jordan Lake Preserve Corporation was fined by both the state Division of Land Quality and the Division of Water Quality and was also required to do a clean up on the site. But the fines were insignificant for such a large company and there really isn't too much that can effectively be done to clean up a muddy creek without harming it even more. The Preserve at Jordan Lake also violated their state 401 Certification by not turning in annual water quality monitoring reports on time or with adequate information (at least 3 years late- and only after we brought it to the state's attention)

The Haw River Assembly opposed both of these developments on the grounds that they were not environmentally suitable for the sites they were being built on. There is always a greater risk of significant soil erosion occurring that will damage nearby receiving streams when golf courses and/or on-site wastewater spray irrigation systems are being built due to the massive clearing, soil removal and grading that is required. If there is operator error or severe storms with heavy rainfall during the time the land is being bulldozed and laid bare, significant erosion can impact nearby streams. This proposal before the Guilford Planning Board is even denser than the two built in

Chatham County and will require even more land disturbance. We believe the risk to the Haw River State Park is much too high to allow this development to be built as proposed.

## ***2. Increased Stormwater Pollution***

The impervious surfaces of roofs, roads and driveways that will replace the current forest will result in increased run-off into the Haw River during storms. Polluted run-off from landscaped yards and the golf course itself will also contribute a cocktail of pesticide chemicals and nutrients from fertilizers. Increase in the volume of water in streams and the Haw River during storms will also contribute to in-stream scouring and erosion of banks and channel.

Use of a proposed on-site waste water system with spray irrigation of the treated effluent this close to the river could be a future problem waiting to happen, with possible groundwater and surface water contamination if and when these systems fail due to age or improper maintenance. There are more of these kind of systems approved for use in Chatham County than in any other county in the state and we have serious reservations that the existing regulations are adequate to protect ground water, surface waters and the public health.

## ***3. Proposed Use of the Haw River for Irrigation***

We are concerned that the projected use of up to 100,000 gallons for water from the Haw River to irrigate the golf course and for other uses at the development will very negatively impact the hydrology, ecosystem and water quality of the river. This is the headwater region of the Haw River – it is a relatively small stream, but it supports a rich bottomland forest and wetland ecology. North Carolina is in a state of drought this summer and we believe this water withdrawal proposal is an irresponsible use of precious public waters.

## ***4. Impacts on the Haw River State Park***

The Haw River State Park is a new jewel in the Piedmont, created by the dedication of citizens and public officials working together. It's future depends on the protection of lands near it. It cannot flourish as an isolated island, if adjacent properties no longer have sufficient habitat for wildlife, healthy forests and clean water. There is a great benefit to Guilford County both for its own residents and for tourism potential that will result from having one of the few state parks located within reach of the fast growing Piedmont region. But in order to see that happen, Guilford County, along with Rockingham County, will need to take an active part in helping it grow, and protecting the lands bordering it so that it will be a beautiful place that attracts people to visit and enjoy it year round.

In closing, we urge the Guilford County Planning Board and the Board of Commissioners to take adequate time to study the issues concerning degradation to the environment and Haw River and harm to the public that this proposed development may cause. The risks to the Haw River and the wildlife population cannot be overstated. And we believe the risk to the Haw River State Park is much too high to allow this development to be built as proposed.

We thank you for your consideration of these comments and will be happy to provide any additional information or materials if you should need them.

Sincerely,

Elaine Chiosso  
Executive Director  
Haw River Assembly